

North Carolina Courts 2000-01



*Statistical and Operational Summary
of the Judicial Branch of Government*

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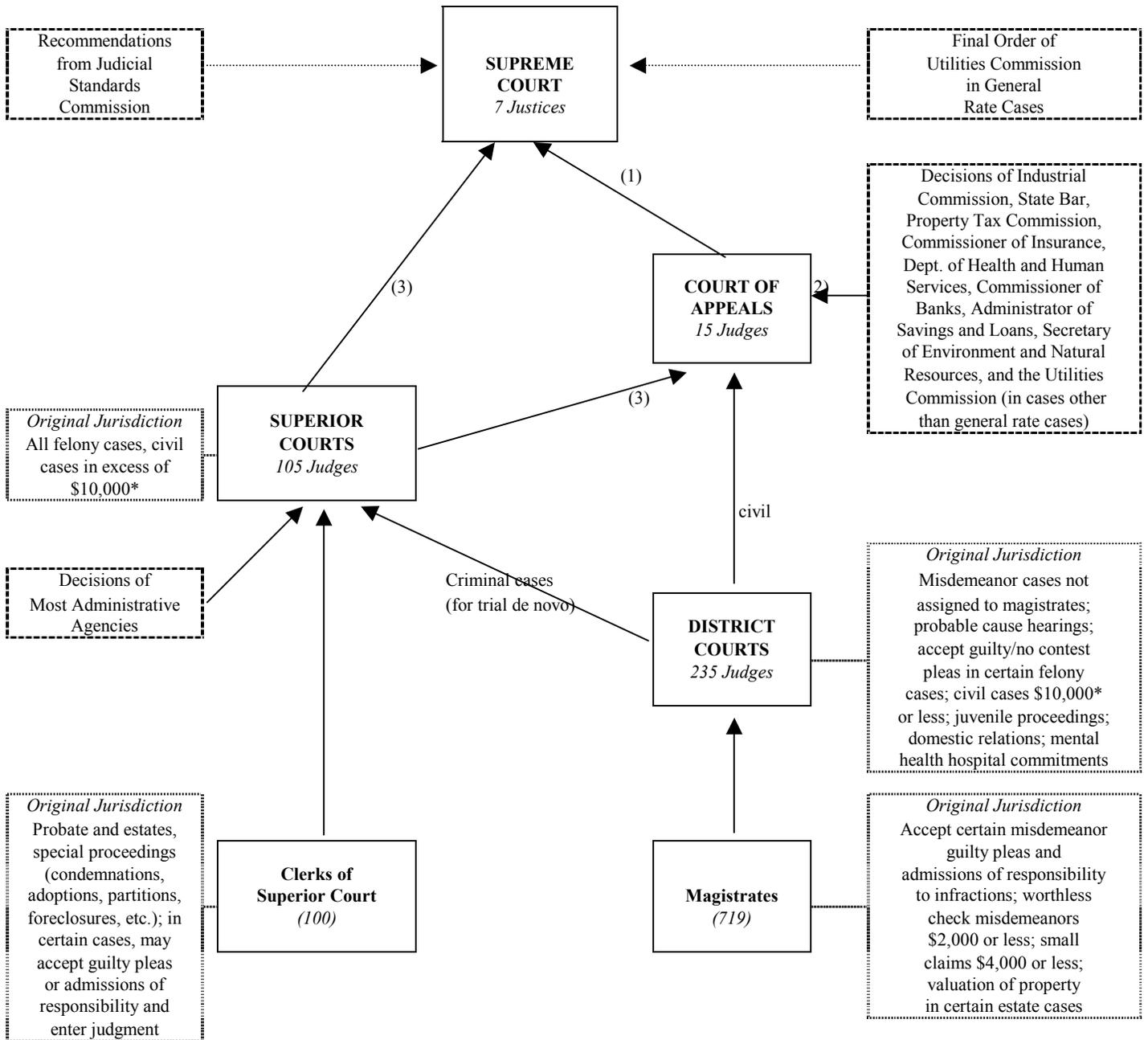
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PART I

THE PRESENT COURT SYSTEM

THE PRESENT COURT SYSTEM
Original Jurisdiction and Routes of Appeal
(As of June 30, 2001)



- (1) Appeals from the Court of Appeals to the Supreme Court are by right in cases involving constitutional questions, and cases in which there has been dissent in the Court of Appeals. In its discretion, the Supreme Court may review Court of Appeals decisions in cases of significant public interest or cases involving legal principles of major significance.
- (2) Appeals from these agencies lie directly to the Court of Appeals.
- (3) As a matter of right, appeals go directly to the Supreme Court in first degree murder cases in which the defendant has been sentenced to death, and in Utilities Commission general rate cases. In all other cases appeal as of right is to the Court of Appeals. In its discretion, the Supreme Court may hear appeals directly from the trial courts in cases of significant public interest, cases involving legal principles of major significance, where delay would cause substantial harm, or when the Court of Appeals docket is unusually full.

*The district and superior courts have concurrent original jurisdiction in civil actions (G.S. 7A-240). However, the district court division is the *proper* division for the trial of civil actions in which the amount in controversy is \$10,000 or less; and the superior court division is the *proper* division for the trial of civil actions in which the amount in controversy exceeds \$10,000 (G.S. 7A-243).

THE PRESENT COURT SYSTEM

This section describes the present court system in North Carolina by providing a general summary of the organization and functions of the offices comprising the Judicial Branch. Fiscal, personnel, caseload, and program data are set forth in other sections of this report.

Court Structure

Article IV of the North Carolina Constitution establishes the General Court of Justice, which “shall constitute a unified judicial system for purposes of jurisdiction, operation, and administration, and shall consist of an Appellate Division, a Superior Court Division, and a District Court Division.” The Constitution also states that the “General Assembly shall have no power to deprive the judicial department of any power or jurisdiction that rightfully pertains to it as a co-ordinate department of the government, nor shall it establish or authorize any courts other than as permitted by this Article.”

The Appellate Division consists of the Supreme Court and the Court of Appeals. The Superior Court Division is composed of the superior courts, which are the general jurisdiction trial courts for the state. The District Court Division comprises the district courts, which are the trial courts with original jurisdiction of the overwhelming majority of the cases handled by the state’s court system. The structure of the present court system is shown in the preceding “Original Jurisdiction and Routes of Appeal” chart.

The Supreme Court

At the apex of the North Carolina court system is the seven-member Supreme Court, which sits in Raleigh to consider and decide questions of law presented in civil and criminal cases on appeal. The Chief Justice and six associate justices are elected to eight-year terms by the voters of the state. The Court sits only *en banc*, that is, all members sitting on each case.

The Supreme Court has general power to supervise and control the proceedings of the other courts of the General Court of Justice. The General Assembly has delegated to the Supreme Court the authority to prescribe the rules of practice and procedure for the trial court divisions. The Supreme Court also promulgates the yearly schedule of superior court sessions in the 100 counties, and appoints the Clerk of the Supreme Court, the Librarian of the Supreme Court Library, and the Appellate Division Reporter.

The Chief Justice of the Supreme Court has certain other administrative responsibilities, which include

appointing the Director and the Assistant Director of the Administrative Office of the Courts, designating a Chief Judge from among the judges of the Court of Appeals and a Chief District Court Judge from among the district court judges in each of the state’s district court districts, assigning superior court judges to the scheduled sessions of superior court in the 100 counties, transferring district court judges to other districts for temporary or specialized duty, appointing certain members of both the Judicial Standards Commission and the Courts Commission, appointing the Appellate Defender, and appointing the Chief Administrative Law Judge of the Office of Administrative Hearings.

The only original case jurisdiction exercised by the Supreme Court is in the censure and removal of judges upon the non-binding recommendations of the Judicial Standards Commission. The Court’s appellate jurisdiction includes cases on appeal by right from the Court of Appeals (cases involving substantial constitutional questions or dissent in the Court of Appeals), cases on appeal by right from the Utilities Commission (cases involving final orders or decisions in general rate matters), criminal cases on appeal by right from the superior courts (first degree murder cases in which the defendant has been sentenced to death), and cases in which review has been granted in the Supreme Court’s discretion. Discretionary review directly from the trial courts may be granted when delay would likely cause substantial harm or when the workload of the courts of the Appellate Division is such that the expeditious administration of justice requires it. However, most appeals are heard only after review by the Court of Appeals.

The Court of Appeals

The 15-judge Court of Appeals is North Carolina’s intermediate appellate court. It hears a majority of the appeals originating from the state’s trial courts. The Court regularly sits in Raleigh, although it may sit in other locations in the state as authorized by the Supreme Court. Sessions outside of Raleigh have not been regular or frequent. Judges of the Court of Appeals are elected by popular statewide vote for eight-year terms. A Chief Judge for the Court is designated by the Chief Justice of the Supreme Court and serves in that capacity at the pleasure of the Chief Justice.

Cases are heard by panels of three judges, with the Chief Judge responsible for assigning members of the Court to the five panels. Insofar as practicable, each

judge is to be assigned to sit a substantially equal number of times with each other judge. The Chief Judge presides over the panel of which he or she is a member and designates a presiding judge for the other panels.

One member of the Court of Appeals, designated by the Chief Justice of the Supreme Court, serves as the chair of the Judicial Standards Commission. In the event of a recommendation from the Commission to censure or remove from office a justice of the Supreme Court, a seven-member panel of Court of Appeals judges would have sole jurisdiction to consider and act upon the recommendation.

The bulk of the caseload of the Court of Appeals consists of cases appealed from the trial courts. The Court also hears appeals directly from the Industrial Commission, along with appeals from final orders or decisions of certain administrative agencies, as shown on the preceding jurisdiction chart. Appeals from the decisions of other administrative agencies lie first within the jurisdiction of the superior courts.

The Superior Courts

The superior courts are the state's general jurisdiction trial courts, with jurisdiction over the most serious crimes (felonies) and civil cases with substantial amounts in controversy.

The superior courts hold sessions in the county seats of North Carolina's 100 counties. For electoral purposes, the counties are grouped into 62 superior court districts, which are collapsed into 46 districts for administrative purposes. One or more superior court judges are elected by statewide ballot for eight-year terms in each of the superior court electoral districts.

In 2000-01, there were 93 "resident" superior court judges. In addition, 12 "special" superior court judges have been authorized by the legislature and appointed by the Governor. Each administrative district has one "senior resident superior court judge" who has certain administrative responsibilities (such as providing for civil case calendaring procedures) for his or her home district. In districts with more than one resident judge, the judge senior in service on the superior court bench exercises these supervisory powers.

The superior court districts are grouped into eight divisions for the rotation of superior court judges, as shown on the following superior court district map. Within the division, resident superior court judges rotate among the districts and hold court for at least six months in each, then move on to their next assignment. The special superior court judges may be assigned to hold court in any county. Assignments of all superior court judges are made by the Chief Justice of the Supreme Court. Under the North Carolina

Constitution, at least two sessions of superior court are held annually in each county. The vast majority of counties have more than the constitutional minimum. Many larger counties have superior court sessions about every week in the year.

The superior court has original jurisdiction in all felony cases and in those misdemeanor cases specified in G.S. 7A-271. Most misdemeanors are tried first in the district court, from which conviction may be appealed to the superior court for trial *de novo* by a jury. The superior court is the "proper" court for the trial of civil cases where the amount in controversy exceeds \$10,000, and it has jurisdiction over appeals from most administrative agencies, as indicated on the preceding jurisdiction chart. Regardless of the amount in controversy, the original civil jurisdiction of the superior court does not include domestic relations cases, which are heard in the district court, or probate and estates matters and certain special proceedings heard first by the clerk of superior court. Rulings of the clerk are within the appellate jurisdiction of the superior court.

The District Courts

The district courts, the state's limited jurisdiction trial court level, dispose of the vast majority of the cases filed in the courts.

Under the North Carolina Constitution, the General Assembly is required to divide the state into a "convenient" number of local court districts and prescribe where the district courts shall sit, but district court must sit in at least one place in each county. As shown on the following map, there were 39 district court districts for administrative purposes during 2000-01, with each district composed of one or more counties. (There are 40 district court districts for electoral purposes, with District 9 being split into electoral districts 9 and 9B.) One or more district court judges are elected to four-year terms by the voters of each of the district court districts. During 2000-01, there were 235 district court judges.

The Chief Justice of the Supreme Court appoints a chief district court judge from among the elected judges in each district court district. Subject to the Chief Justice's general supervision, each chief judge exercises administrative supervision and authority over the operation of the district courts and magistrates in the district. Each chief judge is responsible for scheduling sessions of district court and assigning judges, supervising the calendaring of non-criminal cases, assigning matters to magistrates, making arrangements for court reporting and jury trials in civil cases, and supervising the discharge of clerical functions in the district courts. The chief

district court judges meet in conference at least once a year upon the call of the Chief Justice of the Supreme Court. Among other matters, this annual conference adopts a uniform schedule of waivable offenses and fines for their violation, for use by magistrates and clerks of court.

The jurisdiction of the district court is extensive. It includes preliminary “probable cause” hearings in felony cases, and virtually all misdemeanor and infraction cases. (Infractions are non-criminal violations of law that are not punishable by imprisonment, a category of case created effective September 1, 1986, when the General Assembly decriminalized many minor traffic offenses.) The district court also has jurisdiction to accept guilty pleas in certain felony cases, and the court’s jurisdiction extends to all juvenile proceedings, mental health hospital commitments, and domestic relations cases. In addition, the district courts share concurrent jurisdiction with the superior courts in general civil cases, but are the “proper” courts for general civil cases where the amount in controversy is \$10,000 or less.

Most trials in criminal and infraction cases in district court are by district court judges; no trial by jury is available for such cases. Appeals are to the superior court for trial *de novo* before a jury. District court judges also hold felony probable cause hearings. Civil cases in district court may be tried before a jury; appeals are to the North Carolina Court of Appeals.

Magistrates

The North Carolina Constitution provides that one or more magistrates “who shall be officers of the District Court” shall be appointed in each county. Magistrates are appointed by the senior resident superior court judge and are supervised by the chief district court judge of their district. A total of 719 magistrates (31 part-time) were authorized as of June 30, 2001.

Magistrates have substantial authorities in certain misdemeanor and infraction cases, including the power to hear and enter judgments in certain worthless check cases and to accept written appearances, waivers of trial or hearing, and pleas of guilty or admissions of responsibility, and enter judgments in certain misdemeanor and infraction cases, in accordance with a uniform schedule adopted by the Conference of Chief District Court Judges. They also may conduct initial appearances, grant bail before trial in noncapital cases, and issue arrest and search warrants. Decisions of magistrates in criminal cases may be appealed to the district court judge.

In the civil area, if the amount in controversy is \$4,000 or less and the plaintiff in the case so requests,

a civil case may be designated a “small claims” case and assigned to a magistrate for hearing. Magistrates’ decisions may be appealed to the district court.

The District Attorneys

The district attorney represents the state in all criminal actions brought in the superior and district courts in the district, as well as in juvenile cases in which the juvenile is represented by an attorney, and is responsible for ensuring that infraction cases are prosecuted efficiently. In addition to prosecutorial functions, the district attorney is responsible for calendaring criminal cases for trial.

During 2000-01, the state was divided into 39 prosecutorial districts, as shown on the following prosecutorial district map. The boundaries of the prosecutorial districts correspond to those of the 39 district court administrative districts. A district attorney is elected by the voters in each district for a four-year term.

G.S. 7A-60 specifies the number of assistant district attorneys that each district attorney may employ on a full-time basis (totaling 434 as of June 30, 2001; four additional assistants were employed in time-limited or grant-funded positions). Each district attorney is authorized to employ an administrative assistant to aid in preparing cases for trial and to expedite the criminal court docket. The General Assembly has also authorized the district attorney in certain districts to employ an investigational assistant who aids in the investigation of cases prior to trial. All district attorneys employ at least one assistant for administrative and victim and witness services.

Representation of Indigent Persons

The state provides legal counsel for indigent persons in a variety of actions and proceedings, as specified in G.S. 7A-450 *et seq.* These include, among others, any case in which imprisonment or a fine of \$500 or more is likely to be adjudged; juvenile proceedings that may result in confinement, transfer to superior court for trial on a felony charge, or termination of parental rights; proceedings alleging mental illness or incapacity that may result in hospitalization or sterilization; extradition proceedings; certain probation or parole revocation hearings; and certain requests for post-conviction relief from a criminal judgment.

Juveniles alleged to be within the jurisdiction of the court for allegations of delinquency or for other matters have the right to be represented by counsel in all proceedings, and are conclusively presumed to be

indigent and thus entitled to state-appointed counsel. In delinquency matters, juveniles are represented by public defenders, where present, or by private counsel. Where a juvenile petition alleges that a juvenile is abused, neglected, or dependent, an indigent parent has a right to appointed counsel (G.S. 7B-602).

Indigent Defense Services Commission

This thirteen-member Commission was created by the Indigent Defense Services Act of 2000. The Commission and its staff, the Office of Indigent Defense Services, are located within the Judicial Branch but exercise their prescribed powers independently from the AOC. The Commission and the director of the Office of Indigent Defense Services are responsible for establishing, supervising, and maintaining a system for providing legal representation and related services in all cases where indigent persons are entitled to representation at state expense.

Public Defenders

During 2000-01, 13 counties were served by 11 public defender offices, in Defender Districts 3A, 3B (Carteret County only), 12, 14, 15B, 16A, 16B, 18, 26, 27A, and 28. Public defenders are appointed by the senior resident superior court judge, and their terms are four years. By statute, public defenders are entitled to the numbers of assistants and investigators as may be authorized by the Administrative Office of the Courts.

In public defender districts, most representation of indigents is handled by the public defender's office. However, in certain circumstances, such as a potential conflict of interest or when the proper administration of justice requires it, the court or the public defender may assign private counsel to represent an indigent person.

Private Counsel

In areas of the state that are not served by a public defender office, representation of indigent persons is provided almost entirely by assignment of private counsel. Private counsel is assigned by the court, the Office of Indigent Defense Services, and in certain circumstances, the public defender. Compensation of private counsel is fixed in accordance with rules adopted by the Office of Indigent Defense Services. Pursuant to statutory authority, the State Bar has promulgated rules and regulations relating to the qualifications and appointment of counsel.

Appellate Defender

Pursuant to assignments made by trial court judges, it is the responsibility of the appellate defender and staff to provide appellate criminal defense services to indigent persons who appeal their convictions to the North Carolina Supreme Court and Court of Appeals. The appellate defender also maintains materials and provides consulting services to assist attorneys appointed to represent indigent defendants. The appellate defender recruits members of the bar to represent capital defendants in post-conviction proceedings.

The appellate defender is appointed by and is under the general supervision of the Chief Justice. The Chief Justice may, consistent with the resources available to the appellate defender and to ensure quality criminal defense services, authorize appeals to be assigned to a local public defender office or to private assigned counsel instead of to the appellate defender.

During 2000-01, the appellate defender office accepted appointment in 55 appeals or petitions for writ of certiorari, and filed 70 briefs in the Court of Appeals and the Supreme Court.

Special Counsel

The state provides attorneys and supporting staff at each of the state's four mental health hospitals, for the representation of indigent patients in commitment or recommitment hearings before a district court judge. Each patient admitted to a mental health hospital pursuant to the civil commitment procedures of Chapter 122C of the General Statutes is entitled to a judicial hearing soon after the initial admission, as well as periodic hearings to review the patient's commitment status.

Guardian ad Litem Program

When a petition alleges juvenile abuse or neglect, the judge is required to appoint a guardian ad litem, and when a petition alleges dependency, the judge may appoint a guardian ad litem. If the guardian ad litem is not an attorney, the judge also is to appoint an attorney to represent the juvenile's interests (G.S. 7B-601). Guardians ad litem and attorney advocates are provided through the Guardian ad Litem Services Program of the Administrative Office of the Courts, which is summarized in a later section.

The Clerks of Superior Court

A clerk of superior court is elected for a four-year term by the voters in each of North Carolina's 100 counties. Clerks of superior court are *ex officio* judges of probate. Their original jurisdiction includes the probate of wills and administration of decedents' estates. It also includes such "special proceedings" as adoptions, condemnations of private property under the public's right of eminent domain, proceedings to establish boundaries, foreclosures, and certain proceedings to administer the estates of minors and incompetent adults. The right of appeal from the clerks' judgments in such cases lies to the superior court.

In proceedings before them, the clerks have authority to issue subpoenas and other process, including orders to show cause, and otherwise exercise control of such proceedings, including through certain contempt powers. Clerks administer oaths, take acknowledgment and proof of execution of instruments or writings, issue arrest warrants and search warrants, and may conduct initial appearances and fix conditions of release in noncapital cases.

Clerks of superior court are also empowered to issue subpoenas and other process necessary to execute the judgments entered in the superior and district courts of the county. For certain misdemeanor offenses and infractions, clerks are authorized to accept defendants' waivers of appearance and pleas of guilty or admissions of responsibility and to impose penalties or fines in accordance with a uniform schedule adopted by the Conference of Chief District Court Judges.

Clerks perform administrative duties for both the superior and district courts of the county. Among these duties are the maintenance of court records and indexes, including the records of all case filings and dispositions, as well as the control and accounting of funds, and the furnishing of information to the Administrative Office of the Courts. For counties other than those in districts served by trial court administrators, the clerk is responsible for day-to-day civil calendar preparation. In many counties, the clerk's staff assists the district attorney in preparing criminal case calendars as well.

Trial Court Administrators

Responsibilities for managing the day-to-day administrative operations of the trial courts are placed by statute and by delegation of the Chief Justice of the Supreme Court with senior resident superior court

judges and chief district court judges. Within each district, these officials have considerable discretion in managing the operation of their courts, including such areas as civil case calendaring, jury utilization, and establishing and managing local rules.

In certain districts, trial court administrators provide professional assistance to court officials in managing trial court operations. In 1979, following favorable results in a grant-funded pilot project, the General Assembly established state-funded trial court administrator positions. During 2000-01, twelve trial court administrators served the following superior court districts: 3B, 4A & 4B, 5, 7A & 7B, 10, 12, 14, 21, 26, 27A, 28, and 29.

The general duties of trial court administrators, set forth in G.S. 7A-356, include assisting in managing civil dockets and improving jury utilization. The specific duties and responsibilities assigned to trial court administrators vary from district to district, reflecting the priorities of local court officials and the demands of the local environment.

Trial court administrators coordinate alternative methods of dispute resolution, including arbitration, summary jury trials, custody mediation, and mediated settlement conferences, and serve as a technical resource to other court officials, including the chief district court judge, clerk of superior court, district attorney, and public defender. Trial court administrators are often responsible for coordinating the court's involvement in issues relating to court facilities, pretrial release programs, and jails, and may serve as the court's liaison with other governmental and private organizations, the press, and the public.

Following screening by the Administrative Office of the Courts, a trial court administrator is appointed by and serves under the general supervision of the senior resident superior court judge and the chief district court judge in each district.

Court-Ordered Arbitration

In 1989, following successful experience in a pilot program, the General Assembly authorized court-ordered, non-binding arbitration statewide. As of June 30, 2001, arbitration programs were operating in 72 counties in 33 superior court districts.

In these counties, all civil cases involving claims for money damages of \$15,000 or less are subject to court-ordered, nonbinding arbitration in accordance with the Supreme Court's "Rules for Court-Ordered Arbitration in North Carolina," pursuant to G.S. 7A-37.1. The Rules specifically exclude from arbitration certain property disputes, family law matters, estates, special proceedings, and class actions. Parties may,

however, voluntarily submit any civil dispute to arbitration, with court approval.

By rule, the arbitration hearing is conducted within 60 days of the filing of the last responsive pleading. Parties may stipulate to an arbitrator; otherwise, the court appoints an arbitrator from its list of trained attorneys who have been approved to serve as arbitrators. An arbitrator is paid a fee by the court for each arbitration hearing.

As a rule, arbitration hearings are limited to one hour, and take place in the courthouse. The hearings are conducted in a serious but relaxed atmosphere, with the rules of evidence serving only as a guide. Once the hearing is concluded, the arbitrator renders an award, which is filed with the court. A party dissatisfied with the award may proceed to a trial *de novo* by filing a written request with the court; otherwise, the court enters judgment on the award.

Child Custody and Visitation Mediation

In 1983, the North Carolina General Assembly established and funded a child custody and visitation mediation pilot program in Judicial District 26 (Mecklenburg County). That action allowed North Carolina to join a national trend toward providing alternatives to the traditional adversarial system of dispute resolution. Alternatives were considered particularly desirable in custody litigation, where traditional litigation tends to increase stress in children and their parents, slows a post-separation reorganization of the family, and often leads to relitigation. Expansion is planned for the remainder of the state.

When parents separate, tremendous changes occur within the family. Many issues such as custody, visitation, child support, alimony, and division of property must be resolved. At times, the parents who are in conflict over these matters seek to have the court (legal system) resolve their disputes.

During this time of crisis, the court is asked to settle the family's conflict, ultimately reorganizing the family by means of a court order. This order is reached through difficult negotiations or an often-bitter trial. Parents feel like outsiders in the legal process while attorneys and a judge resolve their dispute. Ultimately, the negotiating process and courtroom battles frequently intensify the stress within the family, particularly for the child.

Mediation is an alternate method of resolving the dispute. It involves a highly trained and professional mediator who helps the parents focus on their child in order to develop an agreement that will provide the best care for the child. Mediation attempts to foster agreement, reduce the stress of the conflicts, and place

the child's best interest at the heart of the process.

In most cases where there is a pending motion or action for child custody or visitation, the petitioners are required to participate in mediation before participating in a traditional hearing or trial. Under G.S. 50-13.1 and G.S. 7A-494, this program provides a forum where parents can step back from their own conflict, focus on the best interests of their children, and structure the parameters for their newly defined family by developing mediated Parenting Agreements.

Mediation is a process in which a professionally trained neutral third party assists parents in developing an agreement that provides for the care of their children during and after separation. The goal of the mediation process is to provide the litigant a forum to discuss parenting issues that involve both parents in the continuing care of their children. The agreement focuses on the children's needs as well as on the rights and responsibilities of both parents. The mediator will provide a process by which parents may have discussion about how the children will be cared for by each parent in the future. Parents are encouraged to be primarily focused on the future rather than dwell on past events, which have been difficult for them.

Mediated Settlement Conferences

In October of 1995, following favorable experience with a pilot program, the General Assembly authorized a statewide program of mediated settlement conferences for superior court civil cases, pursuant to G.S. 7A-38.1. The program has been operating statewide since 1995. In some districts, the senior resident superior court judge refers all eligible cases to mediated settlement, while in other districts, certain case types are exempted. The Supreme Court's "Rules Implementing Mediated Settlement Conferences in Superior Court for Civil Actions" provide for cases to be ordered to mediation as soon as practicable after the time for the filing of answers has expired.

Mediators facilitate settlement discussions between litigating parties in an effort to help them arrive at mutually agreeable solutions to their disputes. They do not make decisions for the parties, but encourage constructive dialogue, suggest options for settlement, and encourage parties to see the dispute from their adversary's perspective. In an effort to foster confidence in the process, the system allows parties to select their mediator; otherwise, the court appoints the mediator. As of June 2001, nearly 1,000 mediators were certified in North Carolina to conduct mediated settlement conferences. Parties pay the mediator directly; no taxpayer funds are expended to operate the program. Mediators are certified and regulated by

the North Carolina Dispute Resolution Commission.

Conferences may be held in a courthouse, but are usually conducted in the office of one of the attorneys or in the mediator's office. Conferences are generally scheduled for a date well in advance of trial, but after a sufficient discovery period. When mediation is successful and the parties reach an agreement, the agreement is reduced to writing at the session and signed by the parties and their counsel. Subsequently, a voluntary dismissal or consent judgment is filed to conclude the litigation. During fiscal year 2000-01, nearly 12,000 cases were ordered or voluntarily submitted to mediated settlement. Of those cases, more than 7,000 were, in fact, mediated with 53 percent of those cases settled during the conference. Even when cases reach an impasse at mediation, they are frequently resolved later in the litigation process as the parties continue to build upon their mediation discussions.

The Administrative Office of the Courts

As part of the unified judicial system, the North Carolina Constitution (Article IV, Section 15) provides for "an administrative office of the courts to carry out the provisions of this Article." The General Assembly has established the Administrative Office of the Courts (AOC) as the business and administrative arm of the Judicial Branch.

The Director of the AOC is appointed by and serves at the pleasure of the Chief Justice of the North Carolina Supreme Court. The Director has the duty to carry out the many functions and responsibilities assigned by statute to the Director or to the AOC.

The Assistant Director of the AOC is also appointed by the Chief Justice, and serves as the administrative assistant to the Chief Justice. The duties of the Assistant Director include assisting the Chief Justice with assignment of superior court judges, assisting the Supreme Court in preparing calendars of superior court sessions, and performing other duties as assigned by the Chief Justice or the Director of the AOC.

The basic responsibility of the AOC is to maintain an efficient and effective court system by providing administrative support statewide for the courts and for court-related offices. Among the AOC's specific duties are to establish fiscal policies for and prepare and administer the budget of the Judicial Branch; prescribe uniform administrative and business methods, forms, and records to be used by the clerks of superior court statewide; procure and distribute equipment, books, forms, and supplies for the court system; collect, compile, and publish statistical data

and other information on the judicial and financial operations of the courts and related offices; determine the state of the dockets, evaluate the practices and procedures of the courts, and make recommendations for improvement of the operations of the court system; investigate, make recommendations concerning, and provide assistance to county authorities regarding the securing of adequate physical facilities for the courts; administer the payroll and other personnel-related needs of all Judicial Branch employees; carry out administrative duties relating to programs for legal representation of indigents; administer various court-based programs; arrange for the printing and distribution of the published opinions of the Supreme Court and Court of Appeals; and perform numerous other duties and responsibilities, including production of the Annual Report.

As of June 30, 2001, the AOC was organized into six divisions. The Human Resources Division administers the personnel-related needs of the Judicial Branch. The Legal & Legislative Services Division includes Legal Counsel, Special Counsel, and the Judges' Legal Research Program. The Court Services Division includes Case Management Services, Custody and Visitation Mediation, Drug Treatment Court, as well as Court Support Services and Technology Support Services. The Technology Services Division includes Applications Development and Support, Operations Support, and Planning and Decision Support. The Financial Services Division includes Fiscal Operations, Budget Management, and Field Accounting and Support. The Purchasing Services Division includes Printing Services, Purchasing Services, and Warehouse and Mail Services. The Office of the Director includes the Office of the Senior Deputy Director, General Counsel, and Communications Office. Additionally, Guardian ad Litem, Sentencing Services, and Research, Planning, Grants, and Budget Development all fall under the Office of the Senior Deputy Director.

Office of Guardian ad Litem Services

The Office of Guardian ad Litem Services was established by the General Assembly in 1983 to administer the Guardian ad Litem Services Program throughout the state. When a petition alleging abuse or neglect of a juvenile is filed in district court, the judge appoints a trained volunteer guardian ad litem and an attorney advocate to work together to represent the child's best interests. When a juvenile is alleged to be dependent, guardian ad litem services may be extended at the discretion of the trial judge. Upon appointment, the trained volunteer investigates the

child's situation and works with the attorney to represent the child's needs in court and to make recommendations for case disposition and any necessary continuing supervision until court intervention is no longer required. In addition, the attorney protects the child's legal rights throughout the proceedings.

The Guardian ad Litem Services Administrator is responsible for planning and directing the program statewide. The AOC Director appoints the Administrator as well as an advisory committee that works with the Administrator. An assistant administrator manages the operation of the program and supervises special projects and initiatives. Four regional administrators direct the development and implementation of services for a group of districts, provide assistance in training programs for volunteers, and resolve operational problems in the districts. At the local level, district administrators recruit, screen, train, and supervise volunteers within their district court district. They also contact community groups, local agencies, the courts, and the media in order to develop volunteer participation, solicit support from key officials, provide public education about the program, and cultivate services for children. The district administrators plan an initial minimum twenty-five hour training course for new volunteers; match children before the court with volunteers; implement continued training for experienced guardians; and provide supervision, consultation, and support to volunteers. They also ensure that attorney advocates receive information from the volunteers assigned to the cases and that the court receives timely oral or written reports each time a child's case is heard.

During 2000-01, a total of 3,423 volunteers were active in the guardian ad litem program and represented a total of 14,781 abused and neglected children. These volunteers participated in 28,836 court hearings and donated approximately 475,280 hours to casework and training. Total expenditures amounted to \$7,501,088, comprising \$1,556,463 for program attorney fees and \$5,944,625 for program administration. The total included reimbursement of volunteers' expenses of \$267,488.

Sentencing Services

The Community Penalties Act of 1983 created the Community Penalties Program to reduce prison overcrowding by providing judges with community sentencing options to be used in lieu of and at less cost than imprisonment. Effective July 1, 1991, the General Assembly transferred the Community Penalties program from the Department of Crime Control and Public Safety to the AOC. In 1999 and 2000, the General Assembly made revisions in the

Program's purpose and changed its operational name to the Sentencing Services Program. The Office of Sentencing Services uses several approaches to deliver sentencing services within each judicial district. The Program contracts with local non-profit agencies in 35 of the State's 46 Superior Court districts and with a county government in two districts; the Program provides state-operated services in nine districts.

All 100 of North Carolina's counties are served. The programs have grown in recognition of the need for sentences that are appropriate and effective for individual offenders. The extensive use of substance abuse treatment programs or other therapies, payment of restitution, performance of community service work, and maintenance of employment as conditions of intermediate probation have been proved to be effective sanctions for certain offenders who otherwise would have been incarcerated.

Under G.S. 7A-773, eligible offenders are "persons who are charged with or have been offered a plea by the State for a felony offense for which the class of offense and prior record level authorize the court to impose an active punishment, but do not require that it do so; have a high risk of committing future crimes without appropriate sanctions and interventions; and would benefit from the preparation of an intensive and comprehensive sentencing plan."

The Program receives referrals from the bench, the district attorney or the defendant's attorney. Program staff assess these persons' risk to fail under community supervision and provide the sentencing judge with a sentencing plan that provides an assessment and description of the offender's background, including available information about past criminal activity; a matching of specific offender needs and resources; and, if appropriate, possible intermediate sanctions. Sentencing plans may include options for substance abuse treatment and other therapies, family support, employment and other necessary biological, psychological or social interventions.

In FY 2000-01, the General Fund appropriation to the AOC for Sentencing Services program grants was \$4,233,448. The programs added more than \$300,000 in local matching funds. In addition to management of grant funds, the AOC provides technical assistance and training for local program staffs, and monitors program administration and performance.

Judicial Branch Commissions

The Judicial Standards Commission

The Judicial Standards Commission was established by the General Assembly pursuant to a constitutional amendment approved by the voters at the general

election in November 1972. It exists as the appropriate agency for the investigation of complaints “concerning the qualifications or conduct of any justice or judge of the General Court of Justice” [G.S. 7A-377(a)].

The seven-member Commission comprises three judges (one each from the Court of Appeals, the Superior Court Division, and the District Court Division), two attorneys, and two private citizens. The Commission receives and investigates complaints of judicial misconduct or incapacity, institutes formal proceedings, conducts hearings, and recommends appropriate disciplinary action to the Supreme Court (or the Court of Appeals, when the complaint involves a Supreme Court Justice). Upon recommendation of the Commission, the Supreme Court may censure or remove any judge for willful misconduct in office, willful and persistent failure to perform duties, habitual intemperance, conviction of a crime involving moral turpitude, or other conduct that brings the judicial office into disrepute. In addition, upon the Commission’s recommendation, the Supreme Court may remove any judge for mental or physical incapacity interfering with the performance of duties, when the incapacity is, or is likely to become, permanent. In circumstances involving judicial conduct that justifies some action but that does not warrant a recommendation of censure or removal, the Commission may issue a private admonition.

The Commission prepares an annual report that provides further information on the organization, purpose, and rules of the Commission, as well as its activities during the calendar year.

The Sentencing and Policy Advisory Commission

The North Carolina Sentencing and Policy Advisory Commission consists of 30 members drawn from all three branches of government, from all areas of the criminal justice system, and from the public. The Commission was created by the General Assembly in 1990 to “... make recommendations to the General Assembly for the modification of sentencing laws and policies, and for the addition, deletion, or expansion of sentencing options as necessary to achieve policy goals” (G.S. 164-36). Specifically, the Commission was directed to (1) classify criminal offenses into felony and misdemeanor categories on the basis of their severity, (2) recommend structures for use by a sentencing court in determining the most appropriate sentence to be imposed in a criminal case, (3) develop a correctional population simulation model, (4) recommend a comprehensive community corrections strategy and organizational structure for the state, and (5) study and make additional policy

recommendations. The Commission’s work led to the passage and implementation of the Structured Sentencing Act, which was enacted during 1993 and modified during the extra (“crime”) session of 1994. The Act applies to crimes committed on or after October 1, 1994. This sentencing system prescribes sentencing options for the court based on the severity of the offense and the prior record of the offender.

The Commission has the continuing duty to monitor and review the criminal justice and correctional systems and the newly reformed juvenile justice system, and to make recommendations as necessary. During the 2000 Session of the General Assembly, the Commission presented its expanded Correctional Program Evaluation for Offenders Placed on Probation or Released from Prison in Fiscal Year 1996-97. The Evaluation included monographs of the Drug Alcohol Recovery Treatment (DART) Program, the Sex Offender Accountability Responsibility (SOAR) Program, and work release. The Commission also studied post-release supervision and recommended a series of changes to the 2001 Session of the General Assembly.

The Commission prepared projections for future adult prison and probation populations and juvenile training school populations, and assisted the General Assembly in preparing fiscal notes for proposed legislation. The Commission also implemented improvements to its “Structured Sentencing Monitoring System,” which analyzes data on convictions and sentences. During the fiscal year, the Commission continued to monitor its statewide community corrections strategy, provide training on Structured Sentencing to various groups, and compile and distribute semiannual county jail population summaries. The Commission also issues several other reports and informational documents during the year.

The Courts Commission

The 28-member Courts Commission consists of court officials, attorneys, legislators, and the public. It exists to study the structure, organization, jurisdiction, procedures, and personnel within the North Carolina court system and to recommend to the General Assembly any changes that will facilitate the administration of justice.

The State Judicial Council

The 17-member State Judicial Council consists of court officials, attorneys, and the public. The State Judicial Council studies the operations of the judicial system and makes recommendations including, but

not limited to, budget preparation and funding priorities, judicial officials' benefits and compensation, and the creation of judgeships. In addition, the Council exists to study and make recommendations on the development of court

performance standards and methods of assessing the effectiveness of the Judicial Branch, case management, alternative dispute resolution, and issues related to changing boundaries of the judicial districts or divisions.

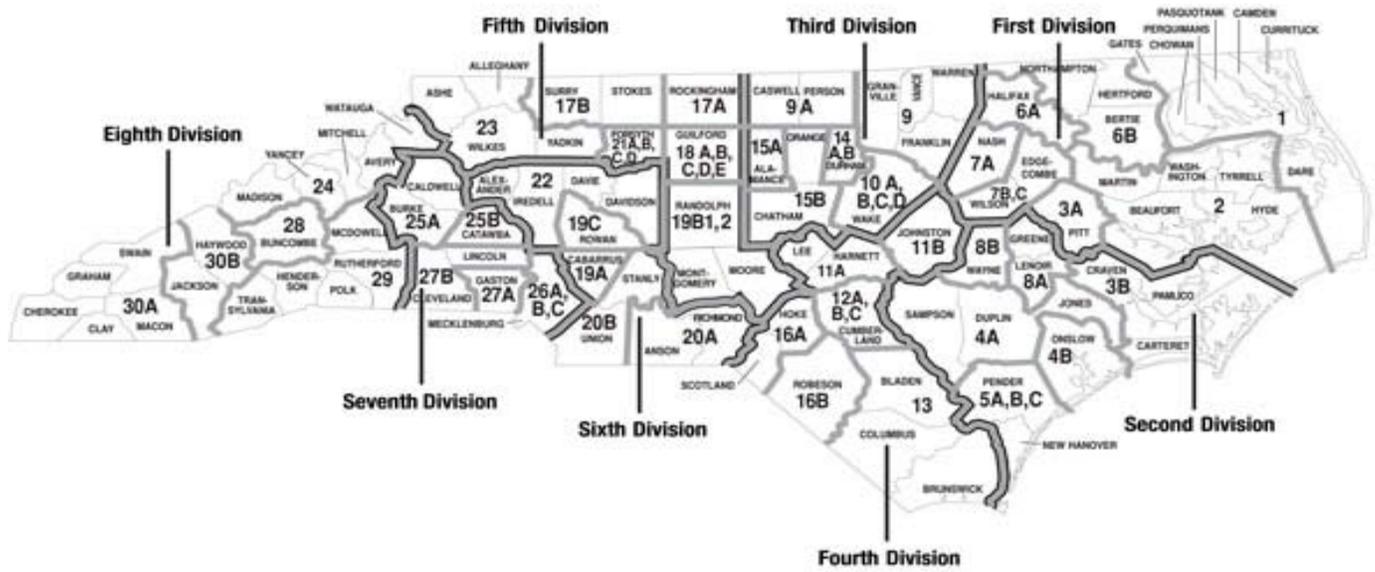
**JUDICIAL DEPARTMENT PERSONNEL
(Positions Authorized as of June 30, 2001)**

**Positions
Authorized**

	<u>SUPREME COURT</u>
7	Justices
37	Staff Personnel (Clerk's & Reporter's Offices, Law Clerks, Library)
7	Secretarial Personnel
	<u>COURT OF APPEALS</u>
15	Judges
51	Staff Personnel (Clerk's Office, Prehearing, Judicial Standards Commission, Law Clerks)
16	Secretarial Personnel
	<u>SUPERIOR COURT</u>
105	Judges
133	Staff Personnel
85	Secretarial Personnel
	<u>DISTRICT COURT</u>
235	Judges
719	Magistrates
61	Staff Personnel
88	Secretarial Personnel
	<u>DISTRICT ATTORNEYS</u>
39	District Attorneys
438	Assistant District Attorneys*
41	Staff Personnel (Investigators, DA Conference)
450	Secretarial Personnel (Victim-Witness/Legal Assistants, other secretarial positions)
	<u>CLERKS OF SUPERIOR COURT</u>
100	Clerks of Superior Court
2,252	Staff Personnel
	<u>INDIGENT REPRESENTATION</u>
1	Appellate Defender
13	Assistant Appellate Defenders
1	Staff Personnel
3	Secretarial Personnel
11	Public Defenders
121	Assistant Public Defenders
28	Staff Personnel
46	Secretarial Personnel
7	Special Counsel at mental health hospitals
4	Assistants to Special Counsel
4	Secretarial Personnel
2	Guardian ad Litem , Program Administrator and Assistant Administrator
41	Regional Administrators (4) and District Administrators (37)
91	Staff Personnel
	<u>ADMINISTRATIVE OFFICE OF THE COURTS</u>
1	Administrative Officer of the Courts
8	Assistant Director (1) and Deputy Directors (7)
317	Staff Personnel

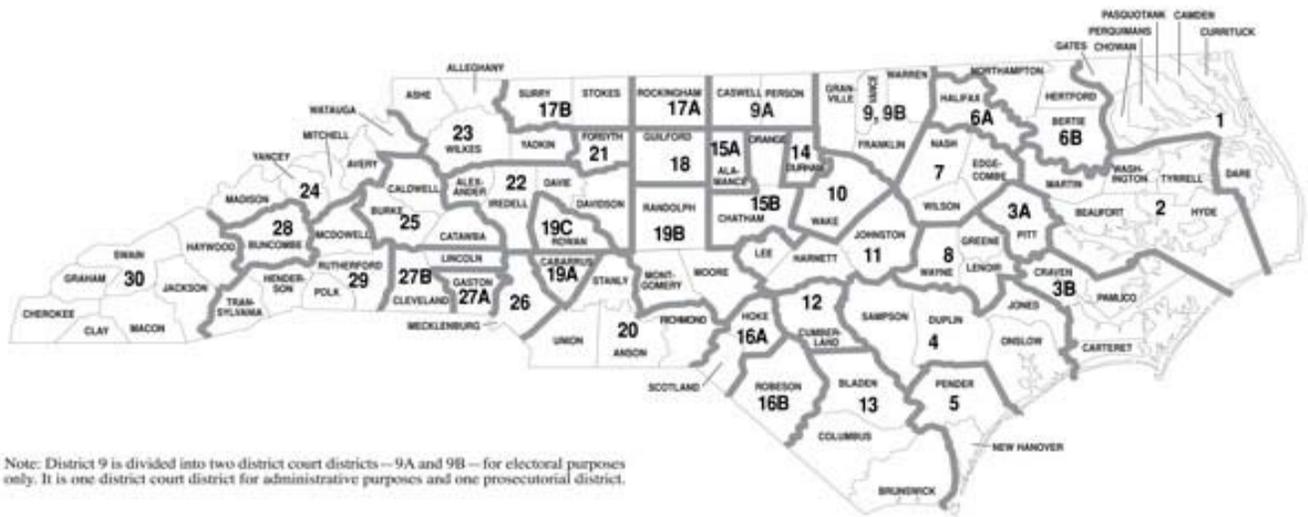
*Of the 438 assistant district attorney positions, 434 were authorized under G.S. 7A-60(a1) and 4 were time-limited or grant-funded positions.

North Carolina Superior Court Districts and Divisions as of June 30, 2001



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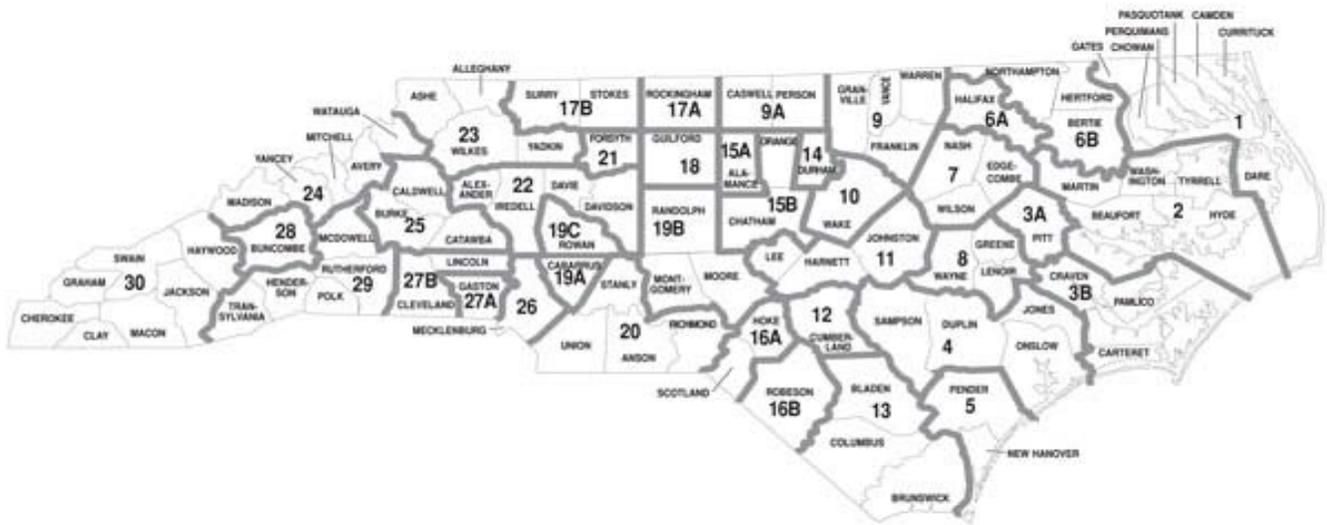
North Carolina District Court Districts as of June 30, 2001



Note: District 9 is divided into two district court districts--9A and 9B--for electoral purposes only. It is one district court district for administrative purposes and one prosecutorial district.

North Carolina Prosecutorial Districts

June 30, 2001



PART II

COURT RESOURCES

JUDICIAL DEPARTMENT APPROPRIATIONS AND EXPENDITURES

Under the State Constitution, the operating expenses of the Judicial Department, “other than compensation to process servers and other locally paid non-judicial officers,” are required to be paid from State funds. It is customary legislative practice for the General Assembly to include appropriations for the operating expenses of all three branches of State government in a single budget bill, for a two-year period ending on June 30 of the odd-numbered years. The budget for the second year of the biennium is generally modified during the even-year legislative sessions.

Building facilities for the appellate courts are provided by State funds, but, by statute, the county governments are required to use county funds to provide adequate facilities for the trial courts within each of the 100 counties.

The table immediately below shows appropriations from the State’s General Fund for operating expenses of the Judicial Department as well as all State agencies combined over the past ten fiscal years. The second table shows expenditures for operating expenses of the Judicial Department during the same period.

APPROPRIATIONS FROM GENERAL FUND FOR OPERATING EXPENSES

Fiscal Year	Judicial Department		All State Agencies		Judicial Department % Share
	Appropriation	% Increase over previous year	Appropriation	% Increase over previous year	
1991-92	\$215,113,968	4.62%	\$7,268,823,057	1.42%	2.96%
1992-93	\$227,078,694	5.56%	\$7,786,752,535	7.13%	2.92%
1993-94*	\$265,509,570	16.92%	\$8,770,691,580	12.64%	3.03%
1994-95	\$281,795,444	6.13%	\$9,543,224,292	8.81%	2.95%
1995-96	\$284,970,016	1.13%	\$9,649,888,683	1.12%	2.95%
1996-97	\$301,483,920	5.79%	\$10,304,313,382	6.78%	2.93%
1997-98	\$333,692,036	10.68%	\$11,125,476,849	7.97%	3.00%
1998-99	\$328,814,509	-1.46%	\$12,562,764,003	12.92%	2.62%
1999-00	\$348,540,925	6.00%	\$13,248,585,656	5.46%	2.63%
2000-01	\$381,022,977	9.32%	\$13,545,142,760	2.24%	2.81%

AVERAGE ANNUAL INCREASE, 1992-2001	6.47%	6.65%
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JUDICIAL DEPARTMENT EXPENDITURES

Fiscal Year	Expenditures	% Increase over previous year
1991-92	\$221,095,228	6.26%
1992-93	\$232,931,371	5.35%
1993-94*	\$267,994,039	15.05%
1994-95	\$285,655,811	6.59%
1995-96	\$291,999,600	2.22%
1996-97	\$309,534,868	6.01%
1997-98	\$345,547,018	11.63%
1998-99	\$346,597,796	0.30%
1999-00	\$367,389,082	6.00%
2000-01	\$397,425,866	8.18%

*Expenditure data for 1989-90 (not shown) included only 11 months of payroll (salary & benefits) for state employees because the June 1990 payroll was disbursed in July 1990, which is fiscal year 1990-91. In 1993-94, the legislature restored the June pay date; thus, appropriation and expenditure figures for 1993-94 include 13 months of payroll for state employees. As a result, expenditure data for 1989-90 and appropriation and expenditure data for 1993-94 are not comparable to such data for other years.

JUDICIAL DEPARTMENT EXPENDITURES
July 1, 2000 – June 30, 2001

Budget Classifications	Subtotals	Totals	Percent of Grand Total
Supreme Court		\$ 3,941,517	0.99%
Court of Appeals		5,698,662	1.43%
Superior Courts		30,654,374	7.71%
District Courts		64,443,603	16.22%
Clerks of Superior Court		99,268,415	24.98%
Representation for Indigents		77,693,491	19.55%
Assigned Private Counsel (includes \$298,241 for guardians ad litem for juveniles)	\$50,936,164		
Guardian ad Litem Services Program	7,520,837		
Public Defenders	12,877,539		
Special Counsel at Mental Health Hospitals	674,721		
Support Services (expert witness fees, professional examinations, transcripts, investigators)	3,475,239		
Set-Off Debt Collection	92,402		
Appellate Defender Services	1,091,839		
Indigent Defense Services	179,459		
Deferred Obligations	493,051		
Capital Case Pilot Program	352,240		
District Attorney Offices		55,369,117	13.93%
Office -- District Attorney	54,382,213		
District Attorneys' Conference	164,333		
Criminal Case Management Pilot	366,489		
Bad Check Pilot Program	456,082		
Administrative Office of the Courts		28,308,677	7.12%
General Administration	9,647,661		
Information Services	17,616,063		
Warehouse and Printing Services	1,044,953		
Judicial Standards Commission		119,114	0.03%
Dispute Resolution Programs		4,244,480	1.07%
Custody and Visitation Mediation Program	1,425,492		
Mediated Settlement Conferences	120,350		
District Court Mediated Settlement	19,294		
Dispute Settlement Centers	1,603,124		
Court-Ordered Arbitration Program	1,076,220		
Family Court Pilot Program		1,477,224	0.37%
Case Calendaring District Court		138,852	0.04%
Sentencing and Policy Advisory Commission		677,779	0.17%
Sentencing Services Program		6,306,294	1.59%
North Carolina Drug Treatment Court		1,460,131	0.37%
Mecklenburg Drug Court		360,613	0.09%
NC State Bar -- Civil Justice Act		2,250,000	0.57%
Equipment/Supply Fund		5,957,115	1.50%
Grant-Supported Projects		9,056,408	2.28%
GRAND TOTAL		\$397,425,866	100%

JUDICIAL DEPARTMENT RECEIPTS

The State Constitution requires that all fines, penalties, and forfeitures collected by the courts in criminal cases be distributed to the respective counties in which the cases are tried, to be used for the support of the public schools.

G.S. 7A-304 *et seq.* establish a uniform schedule of civil and criminal court costs, comprising a variety of fees, and prescribe the distribution of these fees. Except for certain fees that are devoted to specific uses, all superior and district court costs collected by the Judicial Department are paid into the State's General Fund, as are appellate court fees and proceeds from the sales of appellate division reports. When costs are assessed, a facilities fee, which must be used to provide and maintain courtrooms and related judicial facilities, is included and is paid over to the respective county or municipality whose facilities were used. An officer fee (for arrest or service of process) is included, where applicable, in the cost of each case filed in the trial courts, and is paid over to either the municipality whose officer performed these services or to the county in which the case was filed. A jail fee, assessed where applicable, is distributed to the county or municipality whose facilities were used. Most jail facilities in the State are provided by the counties. The county also receives fees paid by convicted defendants when they are released to the supervision of an agency providing pretrial release services in the county. Half of the proceeds from the ten-day drivers license revocation fee, which driving-while-impaired offenders must pay to recover their drivers licenses, is distributed to the counties and the remaining half is credited to the General Fund to be used for a statewide chemical alcohol testing program. Criminal court costs include a fee for the Law Enforcement Officers' Benefit and Retirement Fund; these fees are remitted to the State Treasurer for deposit into this Fund.

When private counsel or a public defender is assigned to represent an indigent defendant in a criminal case, the Office of Indigent Defense Services sets the money value for the services rendered. If the defendant is convicted, a judgment lien may be entered against him/her for such amount. The department retains collections on these judgments to defray the costs of legal representation of indigents.

The first table below shows Judicial Department receipts for the last 10 years, and the second table gives the sources and distribution of such receipts for the current fiscal year. Note that municipalities as well as counties are shown as receiving judicial facilities fees, officer fees, and jail fees, as discussed above, and that proceeds of the ten-day license revocation fee are split between the State Treasurer and the counties.

JUDICIAL DEPARTMENT RECEIPTS: 1991-92 – 2000-01

Fiscal Year	Receipts	Fiscal Year	Receipts
1991-92	\$138,086,949	1996-97	\$199,164,234
1992-93	\$144,804,138	1997-98	\$218,978,365
1993-94	\$146,131,144	1998-99	\$242,693,163
1994-95	\$171,426,049	1999-00	\$226,239,216
1995-96	\$177,100,905	2000-01	\$238,381,276

JUDICIAL DEPARTMENT RECEIPTS: July 1, 2000 – June 30, 2001

Remitted to State Treasurer

Supreme Court Fees	\$ 5,195	0.002%
Court of Appeals Fees	29,674	0.012%
Sales of Appellate Division Reports	156,495	0.066%
Arbitration Appeal Filing Fees	144,464	0.061%
LEOB Fees	8,935,998	3.749%
Twenty-Day Failure Fees	5,374,390	2.255%
Ten-Day License Revocation Fees	1,070,841	0.449%
General Court of Justice Fees	103,550,811	43.439%
Total to State Treasurer	119,267,868	50.032%

Distributed to Counties

Fines and Forfeitures	69,783,863	29.274%
Judicial Facilities Fees	20,651,999	8.663%
Officer Fees	5,078,828	2.131%
Jail Fees	2,535,586	1.064%
Ten-Day License Revocation Fees	1,070,841	0.449%
Total to Counties	99,121,117	41.581%

Distributed to Municipalities

Judicial Facilities Fees	729,933	0.306%
Officer Fees	2,699,324	1.132%
Jail Fees	6,447	0.003%
Total to Municipalities	3,435,704	1.441%

Operating Receipts

Collection on Indigent Representation Judgments	6,776,071	2.843%
1999-00 Obligation Carryover	1,043,165	0.438%
Department of Crime Control & Public Safety Grants	2,190,907	0.919%
Other Grants	6,378,651	2.676%
Miscellaneous Operating Receipts	167,793	0.070%
Total Operating Receipts	16,556,587	6.945%

GRAND TOTAL	\$238,381,276	100%
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**Amounts of Fees, Fines, and Forfeitures Collected by the Courts and
Distributed to Counties and Municipalities ***
July 1, 2000 – June 30, 2001

County	Distributed to Counties				Distributed to Municipalities			
	Facility Fees	Officer Fees	Jail Fees	Fines and Forfeitures	Facility Fees	Officer Fees	Jail Fees	TOTAL
Alamance	\$337,362	\$80,584	\$105,459	\$1,416,392	\$0	\$50,067	\$131	1,989,995
Alexander	65,175	25,175	15,699	226,183	48	2,207	0	334,487
Alleghany	22,593	9,409	11,580	97,850	12	902	0	142,346
Anson	67,029	19,873	2,758	389,483	0	3,068	20	482,231
Ashe	39,861	14,992	6,096	121,779	0	1,789	41	184,558
Avery	33,782	11,246	4,063	92,764	0	1,040	0	142,895
Beaufort	163,619	57,988	44,332	656,215	0	20,273	0	942,427
Bertie	50,840	20,002	13,819	147,856	0	1,157	5	233,679
Bladen	120,391	48,772	11,853	273,789	0	3,839	0	458,644
Brunswick	170,243	64,750	16,230	398,504	12	6,462	270	656,471
Buncombe	405,816	113,860	71,734	1,445,030	10	43,615	0	2,080,065
Burke	188,964	35,344	34,020	739,309	0	20,664	0	1,018,301
Cabarrus	410,226	93,431	100,268	1,993,447	0	92,366	0	2,689,738
Caldwell	171,375	41,377	49,314	573,225	0	20,443	0	855,734
Camden	26,831	11,820	3,283	94,026	0	0	0	135,960
Carteret	189,284	50,211	36,376	533,811	0	19,564	1,521	830,767
Caswell	49,876	22,478	9,515	174,004	0	785	0	256,658
Catawba	256,023	66,192	52,441	1,209,112	126,449	54,332	80	1,764,629
Chatham	90,488	43,468	5,959	278,781	46,418	8,936	0	474,050
Cherokee	51,140	17,603	10,772	232,899	0	1,708	146	314,268
Chowan	46,265	15,966	5,443	140,781	0	6,295	0	214,750
Clay	15,383	6,474	10,234	66,100	0	0	0	98,191
Cleveland	206,082	62,668	61,854	757,957	0	17,895	0	1,106,456
Columbus	137,857	54,302	27,704	273,325	1,635	8,537	0	503,360
Craven	243,429	43,804	44,239	518,208	10,943	38,091	268	898,982
Cumberland	610,559	72,314	70,841	1,856,161	36	64,315	413	2,674,639
Currituck	75,760	34,139	9,460	304,568	0	0	0	423,927
Dare	183,312	39,156	10,359	840,585	2,575	24,770	0	1,100,757
Davidson	344,997	106,315	41,878	1,078,737	2,708	26,319	100	1,601,054
Davie	110,625	43,652	12,626	322,573	0	3,808	0	493,284
Duplin	156,801	41,327	26,574	635,741	0	9,299	0	869,742
Durham	628,507	133,899	3,469	1,954,563	0	102,033	0	2,822,471
Edgecombe	132,437	64,697	38,021	669,731	82,516	26,657	43	1,014,102
Forsyth	843,606	93,525	83,258	2,175,308	24,240	123,837	0	3,343,774
Franklin	119,499	34,907	17,244	389,040	0	2,972	0	563,662
Gaston	492,509	152,305	10,176	1,277,135	32	53,225	0	1,985,382
Gates	28,576	11,905	4,514	107,192	0	0	172	152,359
Graham	26,940	5,701	3,671	66,762	0	0	125	103,199
Granville	152,240	38,056	19,383	608,928	0	13,074	5	831,686
Greene	47,719	17,813	11,203	257,870	0	0	0	334,605
Guilford	1,105,119	119,576	91,600	2,870,439	0	153,112	0	4,339,846
Halifax	181,818	63,989	12,250	728,052	120	21,501	10	1,007,740
Harnett	148,367	55,006	19,948	779,754	33,682	11,301	30	1,048,088
Haywood	154,785	55,160	474	528,049	737	3,880	81	743,166
Henderson	190,180	40,435	22,953	830,921	48	17,506	0	1,102,043
Hertford	68,909	22,861	16,875	250,932	60	4,990	0	364,627
Hoke	82,447	33,235	15,823	377,685	0	4,579	0	513,769
Hyde	25,200	11,358	6,491	80,240	0	0	0	123,289
Iredell	261,351	81,761	34,227	1,133,904	75,330	65,380	22	1,651,975
Jackson	71,766	28,925	8,258	268,139	0	5,804	5	382,897
Johnston	234,428	71,531	48,832	978,859	27,468	26,833	0	1,387,951
Jones	41,257	13,379	3,510	98,020	10	2,955	0	159,131
Lee	136,392	34,027	44,747	658,588	16	25,961	0	899,731
Lenoir	190,776	45,454	40,335	709,828	12	21,673	0	1,008,078
Lincoln	110,851	33,786	22,996	403,705	0	4,700	72	576,110

**Amounts of Fees, Fines, and Forfeitures Collected by the Courts and
Distributed to Counties and Municipalities ***
July 1, 2000 – June 30, 2001

County	Distributed to Counties				Distributed to Municipalities			TOTAL
	Facility Fees	Officer Fees	Jail Fees	Fines and Forfeitures	Facility Fees	Officer Fees	Jail Fees	
Macon	\$54,721	\$18,249	\$8,492	\$212,186	\$0	\$2,101	\$0	\$295,749
Madison	46,769	20,160	827	185,909	0	2,238	15	255,918
Martin	86,092	27,126	9,995	267,412	0	5,089	0	395,714
McDowell	136,155	48,245	9,737	463,155	0	7,457	10	664,759
Mecklenburg	1,879,787	366,584	10,259	3,503,462	430	300,465	5	6,060,992
Mitchell	29,723	9,735	8,791	86,353	0	1,488	0	136,090
Montgomery	74,946	32,957	18,412	406,374	10,300	9,121	18	552,128
Moore	191,064	49,169	28,779	737,510	1,350	31,750	35	1,039,657
Nash	205,398	113,838	41,586	1,208,123	147,400	42,894	55	1,759,294
New Hanover	496,632	57,106	65,583	1,341,607	89	91,948	126	2,053,091
Northampton	54,880	27,375	10,048	187,530	0	2,140	144	282,117
Onslow	412,809	124,842	83,135	864,298	0	52,114	257	1,537,455
Orange	147,342	42,684	3,974	577,458	35,750	24,335	0	831,543
Pamlico	24,840	7,754	3,038	57,177	0	150	0	92,959
Pasquotank	108,514	33,910	28,981	449,073	0	18,260	388	639,126
Pender	126,379	47,049	20,839	412,442	0	3,480	0	610,189
Perquimans	39,412	16,020	7,239	120,376	100	3,133	5	186,285
Person	112,657	44,718	7,082	433,876	0	7,895	5	606,233
Pitt	394,861	46,490	46,223	1,298,683	20,653	85,378	319	1,892,607
Polk	54,029	16,374	2,678	267,704	36	3,700	0	344,521
Randolph	295,230	75,621	87,940	1,063,059	12	27,566	0	1,549,428
Richmond	113,936	23,957	13,909	432,331	0	2,186	15	586,334
Robeson	277,380	102,992	22,461	1,439,558	65,648	45,566	50	1,953,655
Rockingham	256,993	64,001	47,594	1,056,491	344	27,372	0	1,452,795
Rowan	380,117	110,499	71,259	1,912,324	0	67,115	0	2,541,314
Rutherford	164,496	49,998	64,564	662,655	0	20,257	0	961,970
Sampson	199,529	53,151	17,190	736,795	300	18,374	0	1,025,339
Scotland	111,360	32,107	21,409	578,702	0	15,199	0	758,777
Stanly	143,513	25,022	22,867	635,564	300	18,936	0	846,202
Stokes	96,305	26,559	4,579	422,857	0	7,325	627	558,252
Surry	167,817	71,873	15,486	595,427	335	13,627	0	864,565
Swain	30,524	9,940	5,625	172,133	0	2,226	0	220,448
Transylvania	63,149	41,387	9,807	242,508	40	5,876	0	362,767
Tyrrell	22,674	9,986	4,103	77,246	0	0	0	114,009
Union	269,712	85,219	16,334	1,373,855	0	29,073	0	1,774,193
Vance	194,884	43,500	29,189	792,777	0	19,423	45	1,079,818
Wake	1,618,723	134,472	8,653	4,595,293	7,212	323,968	5	6,688,326
Warren	64,704	26,365	8,397	226,553	0	1,205	50	327,274
Washington	40,022	14,427	3,834	135,896	30	3,869	0	198,078
Watauga	106,965	34,169	17,791	335,261	0	15,495	578	510,259
Wayne	278,617	93,735	48,254	1,026,788	4,361	28,663	0	1,480,418
Wilkes	178,141	50,446	23,290	717,719	0	10,343	45	979,984
Wilson	266,211	77,805	30,549	932,292	62	47,351	90	1,354,360
Yadkin	86,113	30,861	17,718	335,131	65	6,090	0	475,978
Yancey	30,204	8,369	50	111,105	0	2,568	0	152,296
State Totals**	\$20,651,999	\$5,078,828	\$2,535,586	\$69,783,863	\$729,933	\$2,699,324	\$6,447	\$101,485,980

*Facility and jail fees are distributed to the respective counties and municipalities that furnished the facilities. If the officer who made the arrest or served the process was employed by a municipality, the officer fee is distributed to the municipality; otherwise all officer fees are distributed to the respective counties. By provision of the State Constitution, fines and forfeitures collected by the courts within a county are distributed to that county for support of the public schools.

**State totals may not equal the sum of county data due to rounding.

COST AND CASE DATA ON REPRESENTATION OF INDIGENTS

July 1, 2000 – June 30, 2001

	Number of Cases*	Total Cost	Average Per Case
Assigned Private Counsel			
Capital offense cases	1,159	\$11,272,810	\$9,726
Adult cases (other than capital)	119,712	35,536,744	297
Juvenile cases	16,979	3,828,369	225
Guardian ad Litem for juveniles	975	298,241	306
Totals	138,825	50,936,164	367
Guardian ad Litem Services Program		7,520,837	
Public Defender Offices			
District 3A	2,847	749,068	263
District 3B (Carteret County)	479	279,795	584
District 12	3,187	1,269,076	398
District 14	8,355	1,403,025	168
District 15B	1,845	727,558	394
District 16A	1,698	545,809	321
District 16B	2,784	1,001,332	360
District 18	7,212	1,995,940	277
District 26	11,950	2,848,228	238
District 27A	5,204	1,118,987	215
District 28	4,187	938,721	224
Totals	49,748	12,877,539	259
Appellate Defender Office		1,091,839	
Special Counsel at State Mental Health Hospitals		674,721	
Support Services			
Transcripts, records, and briefs		711,483	
Professional examinations		2,762	
Expert witness fees		1,891,960	
Investigator fees		869,034	
Total		3,475,239	
Set-Off Debt Collection		92,402	
Indigent Defense Services		179,459	
Deferred Obligations		493,051	
Capital Case Pilot Program		352,240	
GRAND TOTAL		\$77,693,491	

* The number of "cases" shown for private assigned counsel is the number of payments (checks) made by the Administrative Office of the Courts for appointed attorneys. For public defender offices, the number of "cases" is the number of indigents whose cases were disposed of by public defenders during the 2000-01 year.

STATE MENTAL HEALTH HOSPITAL COMMITMENT HEARINGS
July 1, 2000 – June 30, 2001

During 2000-01, the average cost per commitment hearing for representation by special counsel at the state's four mental health hospitals was \$36.04 (total cost of \$674,721 for 18,720 hearings).

The criteria and procedures for commitment to or discharge from a mental health hospital differ depending on whether the person is a minor or an adult, the reason for the commitment, and who is requesting the commitment. The applicable statutes should be consulted for further details.

	Broughton	Cherry	Dorothea Dix	John Umstead	Totals
Voluntary minors: Mentally ill or substance abusers (G.S.122C,Art.5,Pt.3)					
Total Hearings	227	142	57	399	825
Commitment to hospital	165	35	45	327	572
Dismissal/discharge	62	107	12	72	253
Of total, number that were:					
Initial hearings	162	140	39	183	524
Contested hearings	0	2	1	36	39
Voluntary incompetent adults: Mentally ill or substance abusers (G.S.122C,Art.5,Pt.4)					
Total Hearings	140	26	86	5	257
Commitment to hospital	129	26	83	4	242
Dismissal/discharge	11	0	3	1	15
Of total, number that were:					
Initial hearings	39	5	29	0	73
Contested hearings	8	2	18	0	28
Involuntary minors and adults: Mentally ill or mentally retarded with behavior disorder (G.S.122C,Art.5,Pt.7)					
Total Hearings	3,530	3,373	3,753	4,735	15,391
Commitment to hospital	564	885	936	1,725	4,110
Commitment to outpatient clinic	838	622	315	504	2,279
Split commitment	1,546	1,045	905	1,475	4,971
Dismissal/discharge	582	821	1,597	1,031	4,031
Of total, number that were:					
Initial hearings	3,154	2,670	2,974	3,468	12,266
Contested hearings	149	267	216	604	1,236
Involuntary minors and adults: Substance abusers (G.S.122C,Art.5,Pt.8)					
Total Hearings	130	416	333	1,368	2,247
Commitment to area authority	130	416	333	1,144	2,023
Dismissal/discharge	0	0	0	224	224
Of total, number that were:					
Initial hearings	130	414	332	1,355	2,231
Contested hearings	0	11	2	12	25
Total Hearings	4,027	3,957	4,229	6,507	18,720
Of total, number that were:					
Initial hearings	3,485	3,229	3,374	5,006	15,094
Contested hearings	157	282	237	652	1,328

ASSIGNED PRIVATE COUNSEL*

**Cases and Expenditures
July 1, 2000 – June 30, 2001**

	Number of Cases	Expenditures
<i><u>District 1</u></i>		
Camden	44	\$ 20,638
Chowan	187	58,471
Currituck	198	184,495
Dare	468	287,609
Gates	89	31,034
Pasquotank	580	172,163
Perquimans	118	28,288
District Totals	1,684	782,698
<i><u>District 2</u></i>		
Beaufort	957	299,856
Hyde	68	40,247
Martin	476	115,260
Tyrrell	58	12,347
Washington	164	28,931
District Totals	1,723	496,641
<i><u>District 3A</u></i>		
Pitt	1,217	497,195
District Totals	1,217	497,195
<i><u>District 3B</u></i>		
Carteret	213	108,778
Craven	1,113	429,720
Pamlico	112	42,263
District Totals	1,438	580,761
<i><u>District 4A</u></i>		
Duplin	780	338,978
Jones	114	35,260
Sampson	991	320,701
District Totals	1,885	694,939
<i><u>District 4B</u></i>		
Onslow	2,623	809,591
District Totals	2,623	809,591
<i><u>District 5</u></i>		
New Hanover	5,331	2,051,747
Pender	683	272,536
District Totals	6,014	2,324,283
<i><u>District 6A</u></i>		
Halifax	1,335	968,015
District Totals	1,335	968,015
<i><u>District 6B</u></i>		
Bertie	247	132,925
Hertford	522	268,929
Northampton	350	189,174
District Totals	1,119	591,028

*Cases and expenditures shown here include adult capital and non-capital offense cases, juvenile cases, and guardians ad litem for juveniles.

Assigned Private Counsel, July 1, 2000 – June 30, 2001*

(continued)

	Number of Cases	Expenditures
<u>District 7A</u>		
Nash	1,542	576,322
District Totals	1,542	576,322
<u>District 7B-C</u>		
Edgecombe	1,105	368,909
Wilson	1,192	573,910
District Totals	2,297	942,819
<u>District 8A</u>		
Greene	295	77,013
Lenoir	1,197	476,577
District Totals	1,492	553,590
<u>District 8B</u>		
Wayne	1,865	516,829
District Totals	1,865	516,829
<u>District 9</u>		
Franklin	614	269,642
Granville	747	286,188
Vance	912	343,792
Warren	294	83,717
District Totals	2,567	983,339
<u>District 9A</u>		
Caswell	522	141,783
Person	1,252	329,884
District Totals	1,774	471,667
<u>District 10</u>		
Wake	14,075	3,711,506
District Totals	14,075	3,711,506
<u>District 11A</u>		
Harnett	2,379	786,695
Lee	982	309,893
District Totals	3,361	1,096,588
<u>District 11B</u>		
Johnston	2,488	919,876
District Totals	2,488	919,876
<u>District 12</u>		
Cumberland	3,782	2,116,542
District Totals	3,782	2,116,542
<u>District 13</u>		
Bladen	882	291,589
Brunswick	1,635	773,655
Columbus	1,125	471,514
District Totals	3,642	1,536,758

*Cases and expenditures shown here include adult capital and non-capital offense cases, juvenile cases, and guardians ad litem for juveniles.

Assigned Private Counsel, July 1, 2000 – June 30, 2001*
(continued)

	Number of Cases	Expenditures
<u>District 14</u>		
Durham	1,669	900,675
District Totals	1,669	900,675
<u>District 15A</u>		
Alamance	2,659	983,022
District Totals	2,659	983,022
<u>District 15B</u>		
Chatham	766	170,205
Orange	1,680	340,181
District Totals	2,446	510,386
<u>District 16A</u>		
Hoke	154	91,001
Scotland	255	322,415
District Totals	409	413,416
<u>District 16B</u>		
Robeson	1,826	842,460
District Totals	1,826	842,460
<u>District 17A</u>		
Rockingham	2,290	858,011
District Totals	2,290	858,011
<u>District 17B</u>		
Stokes	541	259,697
Surry	1,333	365,148
District Totals	1,874	624,845
<u>District 18</u>		
Guilford	4,166	2,288,386
District Totals	4,166	2,288,386
<u>District 19A</u>		
Cabarrus	2,066	604,939
District Totals	2,066	604,939
<u>District 19B</u>		
Montgomery	579	186,360
Moore	2,127	597,769
Randolph	2,023	802,424
District Totals	4,729	1,586,553
<u>District 19C</u>		
Rowan	2,447	917,478
District Totals	2,447	917,478

Cases and expenditures shown here include adult capital and non-capital offense cases, juvenile cases, and guardians ad litem for juveniles.

Assigned Private Counsel, July 1, 2000 – June 30, 2001*

(continued)

	Number of Cases	Expenditures
<u>District 20A</u>		
Anson	987	259,772
Richmond	2,703	1,062,600
District Totals	3,690	1,322,372
<u>District 20B</u>		
Stanly	999	372,075
Union	2,619	997,840
District Totals	3,618	1,369,915
<u>District 21</u>		
Forsyth	7,361	2,349,089
District Totals	7,361	2,349,089
<u>District 22</u>		
Alexander	761	231,930
Davidson	3,656	1,222,306
Davie	609	196,159
Iredell	2,479	757,338
District Totals	7,505	2,407,733
<u>District 23</u>		
Alleghany	150	32,785
Ashe	398	159,453
Wilkes	1,187	414,530
Yadkin	531	121,234
District Totals	2,266	728,002
<u>District 24</u>		
Avery	306	101,807
Madison	219	115,559
Mitchell	195	64,008
Watauga	557	234,213
Yancey	268	136,019
District Totals	1,545	651,606
<u>District 25A</u>		
Burke	1,331	395,262
Caldwell	1,986	457,517
District Totals	3,317	852,779
<u>District 25B</u>		
Catawba	2,427	932,420
District Totals	2,427	932,420
<u>District 26</u>		
Mecklenburg	9,944	3,444,923
District Totals	9,944	3,444,923

*Cases and expenditures shown here include adult capital and non-capital offense cases, juvenile cases, and guardians ad litem for juveniles.

Assigned Private Counsel, July 1, 2000 – June 30, 2001*

(continued)

	Number of Cases	Expenditures
<i><u>District 27A</u></i>		
Gaston	892	633,183
District Totals	892	633,183
<i><u>District 27B</u></i>		
Cleveland	1,732	471,175
Lincoln	623	240,179
District Totals	2,355	711,354
<i><u>District 28</u></i>		
Buncombe	1,445	520,773
District Totals	1,445	520,773
<i><u>District 29</u></i>		
Henderson	2,017	669,363
McDowell	762	354,616
Polk	276	79,783
Rutherford	1,540	530,350
Transylvania	434	221,090
District Totals	5,029	1,855,202
<i><u>District 30A</u></i>		
Cherokee	408	186,271
Clay	54	29,331
Graham	183	77,494
Macon	453	168,778
Swain	221	113,727
District Totals	1,319	575,601
<i><u>District 30B</u></i>		
Haywood	1,119	620,095
Jackson	489	259,959
District Totals	1,608	880,054
STATE TOTALS	138,825	50,936,164

*Cases and expenditures shown here include adult capital and non-capital offense cases, juvenile cases, and guardians ad litem for juveniles.

PART III

CASELOAD DATA

- **Appellate Courts Data**
 - **Supreme Court**
 - **Court of Appeals**
- **Trial Courts Data**
 - **Superior Court**
 - **District Court**
- **Special Programs Data**
 - **Arbitration**
 - **Custody Mediation**
 - **Community Penalties**

PART III, Section 1

Appellate Courts Data

- **Supreme Court**
- **Court of Appeals**

The Supreme Court

The following Supreme Court tables give filing (docketing) and disposition data on petitions, appeals, and other proceedings. These tables are based on data reported by the Clerk's office, which is responsible for entering and compiling the Court's data.

Matters are heard in the Supreme Court either through appeal by right or by the Court granting discretionary review. Cases on appeal by right include appeals from the Court of Appeals in cases involving constitutional questions or dissent in the Court of Appeals, appeals from Superior Court in first degree murder cases in which the defendant has been sentenced to death, and appeals from any final order or decision of the Utilities Commission in general rate cases.

In its discretion, the Court may review Court of Appeals decisions in cases of significant public interest or cases involving legal principles of major significance. The Court, in its discretion, may also hear appeals directly from the trial courts in cases of significant public interest, cases involving legal principles of major significance, where delay would cause substantial harm, or when the Court of Appeals

docket is unusually full. A petitioner can seek such discretionary review through a petition for discretionary review or a petition for writ of certiorari, or the Supreme Court can certify the case for review on its own initiative. Other requests for review by the court include petitions for writ of supersedeas, mandamus, or prohibition, and petitions for habeas corpus, as well as various motions, including motions for appropriate relief.

The first table in the Supreme Court subsection gives ten-year trend data for appeals docketed and disposed and petitions docketed and allowed. The table following presents the Court's caseload inventory for 2000-01, broken down by the types of cases the Court hears. The following two tables summarize case activity in those cases reaching decision stage, and the disposition of petitions for review. The next table shows the various methods of dispositions of appeals -- signed opinion, per curiam opinion (unsigned opinion), and dismissal or withdrawal -- as well as the types of disposition (e.g., affirmed, reversed, and so on). The final table gives Supreme Court processing times for appeals disposed by signed or per curiam opinion.

NORTH CAROLINA SUPREME COURT

APPEALS DOCKETED AND DISPOSED DURING THE YEARS 1991-92 – 2000-01

	Appeals Docketed	Appeals Disposed
1991-92	181	181
1992-93	189	150
1993-94	240	177
1994-95	180	194
1995-96	172	231
1996-97	169	188
1997-98	162	180
1998-99	164	196
1999-00	96	137
2000-01	130	89

PETITIONS DOCKETED AND ALLOWED DURING THE YEARS 1991-92 – 2000-01

	Petitions Docketed	Petitions Allowed
1991-92	388	70
1992-93	341	63
1993-94	489	77
1994-95	471	61
1995-96	502	72
1996-97	544	88
1997-98	547	78
1998-99	609	86
1999-00	577	39
2000-01	634	39

NORTH CAROLINA SUPREME COURT
Caseload Inventory
July 1, 2000 – June 30, 2001

	Pending 7/1/00	Filed	Disposed	Pending 6/30/01
Petitions for Review				
Civil domestic	2	4	5	1
Juvenile	0	4	4	0
Other civil	37	273	257	53
Criminal	60	331	348	43
Administrative agency decision	2	22	21	3
Total Petitions for Review	101	634	635	100
Appeals				
Civil domestic	0	3	2	1
Petitions for review granted that became civil domestic appeals	0	0	0	0
Juvenile	0	1	1	0
Petitions for review granted that became juvenile appeals	0	0	0	0
Other civil	10	36	20	26
Petitions for review granted that became other civil appeals	10	24	15	19
Criminal, defendant sentenced to death	30	31	23	38
Criminal, defendant sentenced to life imprisonment	0	3	0	3
Other criminal	9	17	16	10
Petitions for review granted that became other criminal appeals	5	10	8	7
Administrative agency decision	3	3	3	3
Petitions for review granted that became appeals of administrative agency decision	1	2	1	2
Total Appeals	68	130	89	109
Other Proceedings				
Rule 16(b) additional issues re dissent		13	7	
Requests for advisory opinion		0	0	
Motions		708	664	
Total Other Proceedings		721	671	

Petitions for review are cases in which the Court is asked to accept discretionary review of decisions of the Court of Appeals as well as certain other tribunals. The Appeals category comprises cases within the Court's appellate jurisdiction.

NORTH CAROLINA SUPREME COURT

July 1, 2000 – June 30, 2001

SUBMISSION OF CASES REACHING DECISION STAGE

Cases Argued

Civil domestic	2
Juvenile	1
Other civil	49
Criminal (death sentence)	25
Criminal (life sentence)	0
Other criminal	13
Administrative agency decision	5
Total cases argued	95

Submissions Without Argument

By motion of the parties (Appellate Rule 30 (d))	0
By order of the Court (Appellate Rule 30 (f))	0
Total submissions without argument	0

Total Cases Reaching Decision Stage **95**

DISPOSITION OF PETITIONS

Petitions for Review	Granted*	Denied	Dismissed/ Withdrawn	Total Disposed
Civil domestic	0	5	0	5
Juvenile	0	3	1	4
Other civil	24	219	14	257
Criminal	13	288	47	348
Administrative agency decision	2	18	1	21
Total Petitions for Review	39	533	63	635

*"Granted" includes order allowing relief without accepting the case as a full appeal.

DISPOSITION OF APPEALS IN THE SUPREME COURT

July 1, 2000 – June 30, 2001

Disposition by Signed Opinion

Case Types	Affirmed	Affirmed in Part; Remanded in Part	Affirmed in Part; Reversed in Part; Remanded	Reversed	New Sentencing Hearing	Reversed and Remanded	New Trial	Other	Total
Civil domestic	0	0	0	1	0	0	0	0	1
Juvenile	0	0	0	0	0	0	0	0	0
Other civil	4	0	0	3	0	0	0	1	8
Criminal (death sentence)	18	0	0	0	0	0	3	1	22
Criminal (life sentence)	0	0	0	0	0	0	0	0	0
Other criminal	1	1	0	4	0	1	0	0	7
Administrative agency decision	1	0	0	0	0	1	0	0	2
Totals	24	1	0	8	0	2	3	2	40

Disposition by Per Curiam Opinion

Case Types	Affirmed	Affirmed in Part; Remanded in Part	Affirmed in Part; Reversed in Part; Remanded	Reversed	Reversed and Remanded	Other	Discretionary Review Improvidently Allowed	Total
Civil domestic	1	0	0	0	0	0	0	1
Juvenile	0	0	0	0	0	0	1	1
Other civil	16	0	0	3	0	1	6	26
Criminal (death sentence)	0	0	0	0	0	0	1	1
Criminal (life sentence)	0	0	0	0	0	0	0	0
Other criminal	2	0	1	1	0	1	2	7
Administrative agency decision	1	0	0	1	0	0	0	2
Totals	20	0	1	5	0	2	10	38

Disposition by Dismissal or Withdrawal

Case Types	Dismissed or Withdrawn
Civil domestic	0
Juvenile	0
Other civil	1
Criminal (death sentence)	0
Criminal (life sentence)	0
Other criminal	10
Administrative agency decision	0
Totals	11

**SUPREME COURT PROCESSING TIME
FOR APPEALS DISPOSED BY OPINION***

(Total time in days from docketing to opinion)

July 1, 2000 – June 30, 2001

	Number of Cases	(Days) Median	(Days) Mean
Civil Domestic	2	256	256
Petitions for review granted that became civil domestic appeals	0		
Juvenile	0		
Petitions for review granted that became juvenile appeals	1	193	193
Other civil	18	177	179
Petitions for review granted that became other civil appeals	16	268	292
Criminal, defendant sentenced to death	23	344	387
Criminal, defendant sentenced to life imprisonment	0		
Other criminal	6	246	254
Petitions for review granted that became other criminal appeals	8	270	330
Administrative agency decision	3	176	196
Petitions for review granted that became appeals of administrative agency decision	1	365	365
Total appeals disposed by opinion	78	261	290

* Only cases disposed by signed opinion or per curiam opinion are included here.

The Court of Appeals

The three tables in the Court of Appeals subsection summarize filing and disposition activity in the Court of Appeals. These tables are based on data reported by the Clerk's office, which is responsible for entering and compiling the Court's data.

In addition to trend data for the past ten years, the following tables provide filings and dispositions for cases on appeal, petitions, and motions during fiscal year 2000-01. "Cases on appeal" include cases appealed from district courts, superior courts, and administrative agencies. They are counted as appeals only after a record is filed with the Clerk's office and a docket number is assigned. The "petition" category includes petitions involving only the four

"extraordinary" writs set out in Article V of the Rules of Appellate Procedure: certiorari, mandamus, prohibition, and supersedeas. "Motions" encompass any other type of relief sought from the Court of Appeals, either in a case already filed with the Court of Appeals, or one on its way to the Court of Appeals, but not yet filed.

Cases on appeal represent the largest portion of the Court of Appeals' workload, since most are disposed by written opinion. The other methods of disposition, represented by the "Other Cases Disposed" category in the table at the bottom of the data page, include the court's dismissal of the appeal and the appealing party's withdrawal of the appeal.

NORTH CAROLINA COURT OF APPEALS

FILINGS AND DISPOSITIONS DURING THE YEARS 1991-92 – 2000-01*

Fiscal Year	Filings	Dispositions
1991-92	1,660	1,451
1992-93	1,690	1,465
1993-94	1,790	1,929
1994-95	1,906	1,796
1995-96	1,932	1,826
1996-97	2,088	2,018
1997-98	2,135	2,108
1998-99	2,352	2,194
1999-00	2,268	2,057
2000-01	2,380	2,155

*Filings and dispositions shown here include appealed cases and petitions, but not motions.

FILINGS AND DISPOSITIONS — July 1, 2000 – June 30, 2001

Cases on appeal	Filings	Dispositions
Civil cases appealed from district courts	270	
Civil cases appealed from superior courts	521	
Civil cases appealed from administrative agencies	138	
Criminal cases appealed from superior courts	689	
Totals	1,618	1,465
Petitions		
Allowed		98
Denied		592
Remanded		0
Totals	762	690
Motions		
Allowed		2,690
Denied		547
Remanded		0
Totals	3,473	3,237
Total Cases on Appeal, Petitions, and Motions	5,853	5,392

MANNER OF CASE DISPOSITIONS — July 1, 2000 – June 30, 2001

Cases Disposed by Written Opinion

Affirmed	Reversed	Affirmed in Part, Reversed in Part	Other Cases Disposed	Total Cases Disposed
950	150	161	194	1,455

PART III, Section 2

Trial Courts Data

- **Superior Court**
- **District Court**

TRIAL COURTS CASE DATA

This section presents summary data on the activity of the superior and district courts. The tables that follow provide statewide totals. Data for each district and county are provided throughout the year to local court officials and are available upon request from the Administrative Office of the Courts (AOC).

The caseload inventory tables provide a statistical picture of caseload during the year. Inventory tables show the number of cases pending at the beginning of the year (July 1), the number of new cases filed, the number of cases disposed during the year, and the number of cases left pending at the end of the year (June 30). However, for certain case types, including estates and special proceedings in superior court, and civil magistrate cases, criminal motor vehicle cases, and infractions cases in district court, no beginning or end-pending data are available. Further, only filings data are collected for district court civil license revocations.

The tables also show the median ages of the cases pending at the end of the year, as well as the ages of cases disposed during the year. (Again, age data are not maintained on the case types identified above.) The median age of a group of cases is, by definition, the age of a hypothetical case that is older than 50% of the total set of cases and younger than the other 50%.

The tables that follow also provide statewide data on juvenile cases. This includes data on matters alleged in juvenile petitions filed, as well as data relating to adjudicatory hearings held, during the year.

Except for estates, special proceedings, and juvenile matters, caseload statistics come from the automated criminal, infraction, and civil modules of the AOC's Court Information System (CIS).

The case statistics in this trial courts section have been summarized from the automated filing and disposition case data, as well as from manually reported case data. Pending case information is calculated from the filing and disposition data. The accuracy of the pending case figures is, of course, dependent upon timely and accurate data on filings and dispositions.

Periodic comparisons by clerk personnel of their actual pending case files against the AOC's computer-produced pending case lists, followed by indicated corrections, are necessary to maintain completely accurate data in the AOC computer file. Yet, staff resources in the clerks' offices are not sufficient to make such physical inventory checks as frequently and as completely as would be necessary to maintain full accuracy in the AOC's computer files. Thus, it is recognized that there is some margin of error in the figures published in the following tables.

Another accuracy-related problem inherent in the AOC's reporting system is the lack of absolute consistency in the published year-end and year-beginning pending figures. The number of cases pending at the end of a reporting year should ideally be identical to the number of published pending cases at the beginning of the next reporting year. However, experience has shown that inevitably some filings and dispositions that occurred in the preceding year are not reported until the subsequent year. The later-reported data are regarded as being more complete and are used in the current year's tables, thereby producing some differences between the prior year's end-pending figures and the current year's beginning pending figures.

CASELOAD INVENTORY AND MEDIAN AGES OF SUPERIOR COURT CASES

July 1, 2000 — June 30, 2001

	Begin	Filed	Disposed	End	Median Ages (in days)*	
					Pending	Pending
Civil Cases	21,233	25,205	24,775	21,663	238.0	204.0
Contract	3,649	5,581	5,197	4,033	148.0	177.0
Collect on Accounts	834	1,780	1,701	913	119.0	127.0
Motor Vehicle Negligence	6,726	6,500	6,865	6,361	318.0	205.0
Other Negligence	3,295	2,956	2,860	3,391	354.0	249.0
Real Property	1,700	1,298	1,287	1,711	429.0	292.0
Administrative Appeal	189	300	281	208	152.0	118.5
Other	4,840	6,790	6,584	5,046	173.0	185.0
Estates		60,691	59,433			
Special Proceedings		79,632	68,509			
Criminal Cases	66,998	136,869	133,374	70,493	170.0	205.0
Felonies	48,271	95,953	92,730	51,494	182.0	208.0
Murder	806	695	686	815	363.5	317.0
Manslaughter	72	92	98	66	254.0	231.5
Rape and First Degree						
Sex Offense	1,251	1,717	1,723	1,245	250.0	248.0
Other Sex Offenses	1,811	2,964	2,937	1,838	217.0	236.0
Robbery	2,941	4,714	4,623	3,032	194.0	197.0
Assault	2,217	3,227	3,241	2,203	217.0	245.0
Burglary and Breaking						
or Entering	5,629	13,828	13,364	6,093	159.0	195.0
Larceny	3,980	8,509	8,238	4,251	172.0	217.0
Arson and Burnings	227	409	382	254	195.5	185.0
Forgery and Utterings	2,720	7,233	6,937	3,016	151.0	173.0
Fraudulent Activity	4,232	10,725	9,330	5,627	158.0	205.0
Controlled Substances	15,427	28,612	28,553	15,486	199.0	207.5
Other	6,958	13,228	12,618	7,568	181.0	213.0
Misdemeanors	18,727	40,916	40,644	18,999	141.0	193.0
Impaired Driving Appeals	2,390	4,691	4,874	2,207	111.0	115.0
Other Motor Vehicle Appeals	2,877	6,123	6,025	2,975	118.0	115.0
Non-Motor Vehicle Appeals	7,423	15,376	15,722	7,077	167.0	252.0
Cases Originating in						
Superior Court	6,037	14,726	14,023	6,740	134.0	193.0

*On this table, criminal cases in superior court are aged from their original filing date, which was the district court filing date if the case originated in district court. (Data in annual reports and supplements prior to FY 96-97 aged such cases from their filing date in superior court, and therefore, excluded any tie prior to transfer of such cases to superior court.)

MANNER OF DISPOSITION OF SUPERIOR COURT CASES

July 1, 2000 — June 30, 2001

	Jury <u>Trial</u>	Judge <u>Trial</u>	Voluntary <u>Dismissal</u>	Final Order/ Judgment Without <u>Trial</u>	<u>Clerk</u>	<u>Other</u>
Civil Cases	589	2,244	13,188	3,218	2,082	3,454
Contract	48	327	2,751	502	847	722
Collect on Accounts	5	99	492	219	624	262
Motor Vehicle Negligence	338	344	5,115	399	34	635
Other Negligence	89	214	1,738	221	17	581
Real Property	39	283	250	560	10	145
Administrative Appeal	0	78	76	54	0	73
Other	70	899	2,766	1,263	550	1,036
		<u>Guilty Plea</u>		<u>DA Dismissal</u>		
	Jury <u>Trial</u>	to Lesser <u>Offense</u>	to Charged <u>Offense</u>	With <u>Leave</u>	Without <u>Leave*</u>	<u>Other</u>
Criminal Cases	2,894	11,473	54,595	6,801	41,033	16,578
Felonies	2,180	10,955	45,000	4,547	28,618	1,430
Murder	161	324	64	6	101	30
Manslaughter	14	18	39	2	23	2
Rape and First Degree						
Sex Offense	169	263	414	100	739	38
Other Sex Offenses	185	177	1,460	112	923	80
Robbery	226	1,098	1,819	112	1,310	58
Assault	241	913	931	115	960	81
Burglary and Breaking						
or Entering	172	1,423	8,519	551	2,534	165
Larceny	89	1,110	4,129	425	2,388	97
Arson and Burnings	10	71	196	15	83	7
Forgery and Utterings	12	459	4,496	477	1,436	57
Fraudulent Activity	49	660	5,466	663	2,381	111
Controlled Substances	415	3,296	12,316	1,442	10,790	294
Other	437	1,143	5,151	527	4,950	410
Misdemeanors	714	518	9,595	2,254	12,415	15,148
Impaired Driving Appeals	232	45	968	354	275	3,000
Other Motor Vehicle Appeals	58	182	1,358	543	1,817	2,067
Non-Motor Vehicle Appeals	291	164	3,597	776	4,809	6,085
Cases Originating in Superior Court	133	127	3,672	581	5,514	3,996

*DA Dismissal Without Leave includes Dismissals after Deferred Prosecution.

CASELOAD INVENTORY AND MEDIAN AGES OF DISTRICT COURT CASES
July 1, 2000 — June 30, 2001

	<u>Begin</u> <u>Pending</u>	<u>Filed</u>	<u>Disposed</u>	<u>End</u> <u>Pending</u>	<u>Median Ages (in days)</u>	
					<u>Disposed</u> <u>Cases</u>	<u>Pending</u> <u>Cases</u>
Civil Cases		481,422	475,235			
Civil Magistrate (Small Claims)		284,445	284,158			
Civil District	76,327	196,977	191,077	82,227	66.0	127.0
URESА/UIFSA	765	591	820	536	121.0	1,150.5
Child Support (IV-D)	15,091	47,099	43,982	18,208	63.0	117.0
Child Support (Non IV-D)	9,503	9,666	10,137	9,032	146.0	341.0
Other Domestic Relations	25,306	75,140	74,265	26,181	50.0	142.0
<i>Subtotal Domestic Relations</i>	<i>50,665</i>	<i>132,496</i>	<i>129,204</i>	<i>53,957</i>	<i>54.0</i>	<i>162.0</i>
General Civil	23,519	59,862	57,268	26,113	101.0	100.0
Magistrate Appeal/Transfer	2,143	4,619	4,605	2,157	101.0	113.0
<i>Subtotal General Civil and</i> <i>Magistrate Appeal/Transfer</i>	<i>25,662</i>	<i>64,481</i>	<i>61,873</i>	<i>28,270</i>	<i>101.0</i>	<i>101.0</i>
Criminal Cases		1,456,171	1,421,436			
Non-Motor Vehicle	183,881	634,065	629,198	188,748	62.0	72.0
Motor Vehicle		822,106	792,238			
Infractions		733,275	718,632			
Civil License Revocations		61,241				

MANNER OF DISPOSITION OF DISTRICT COURT CASES
July 1, 2000 — June 30, 2001

	<u>Jury</u> <u>Trial</u>	<u>Judge</u> <u>Trial</u>	<u>Voluntary</u> <u>Dismissal</u>	<u>Final Order/</u> <u>Judgment</u> <u>w/o Trial</u>	<u>Clerk</u>	<u>Other</u>
URESА/UIFSA	0	144	39	202	11	424
Child Support (IV-D)	0	8,248	3,022	22,150	106	10,456
Child Support (Non IV-D)	0	3,160	991	3,346	38	2,602
Other Domestic Relations	5	42,519	5,247	15,644	259	10,591
<i>Subtotal Domestic Relations</i>	<i>5</i>	<i>54,071</i>	<i>9,299</i>	<i>41,342</i>	<i>414</i>	<i>24,073</i>
General Civil	171	3,231	13,096	5,489	24,675	10,606
Magistrate Appeal/Transfer	33	1,406	918	1,276	225	747
<i>Subtotal General Civil and</i> <i>Magistrate Appeal/Transfer</i>	<i>204</i>	<i>4,637</i>	<i>14,014</i>	<i>6,765</i>	<i>24,900</i>	<i>11,353</i>
Criminal Cases				<u>DA Dismissal</u>		<u>Probable</u> <u>Cause</u> <u>Matters</u>
	<u>Worthless</u> <u>Check</u> <u>Waiver</u>	<u>Guilty</u> <u>Plea</u>	<u>Trial</u>	<u>With</u> <u>Leave</u>	<u>Without</u> <u>Leave*</u>	<u>Other</u>
Non-Motor Vehicle	34,239	189,584	30,724	38,949	210,162	35,937
Motor Vehicle	<u>Waiver:</u>	114,296			<u>Non-Waiver:</u>	677,942
Infractions	<u>Waiver:</u>	383,689			<u>Non-Waiver:</u>	334,943

*DA Dismissal Without Leave includes Dismissals after Deferred Prosecution.

MATTERS ALLEGED IN JUVENILE PETITIONS

July 1, 2000 — June 30, 2001

Delinquent Offenses	25,984
Capital	14
Other Felony	7,504
Misdemeanor	18,466
Undisciplined Offenses	5,176
Truancy	685
Other	4,491
Conditions	10,865
Dependent	2,717
Neglected	4,994
Abused	1,051
Parental Rights Petition	2,103
Total Petitions	42,025

ADJUDICATORY HEARINGS FOR JUVENILE MATTERS

July 1, 2000 — June 30, 2001

	<u>Retained</u>	<u>Dismissed</u>	<u>Total</u>
Delinquency Hearings	17,707	9,728	27,435
Undisciplined Hearings	2,758	1,099	3,857
Dependency Hearings	2,706	723	3,429
Neglect Hearings	4,734	1,301	6,035
Abuse Hearings	798	331	1,129
		Not	
	<u>Terminated</u>	<u>Terminated</u>	<u>Total</u>
Parental Rights	1,811	265	2,076
Total Hearings			43,961

PART III, Section 3

Special Programs Data

- **Arbitration**
- **Custody Mediation**
- **Sentencing Services**

SPECIAL PROGRAMS DATA

This section presents data on three special programs of the Administrative Office of the Courts. The cases reported in these tables do not represent cases *in addition* to those reported in the trial courts section. The cases are set out separately here to summarize the program activity of the three programs -- arbitration, custody mediation, and sentencing services -- all of which are discussed in more detail in the description of the present court system in Part I.

ARBITRATION ACTIVITY*

July 1, 2000 – June 30, 2001

	Cases Noticed for Arbitration¹			Summary of De Novo Appeal Activity				
	District Court	Superior Court	Total	Cases Arbitrated	Appeals Filed	Trials	Dismissal/Other	Pending 6/30/01²
District 1								
Camden	4	0	4	2	0	0	0	0
Chowan	7	0	7	7	2	0	0	2
Currituck	13	0	13	15	2	2	0	0
Dare	41	0	41	20	9	1	1	7
Gates	5	0	5	5	0	0	0	0
Pasquotank	40	0	40	25	7	0	2	5
Perquimans	5	0	5	3	2	1	0	1
District Totals	115	0	115	77	22	4	3	15
District 3A								
Pitt	188	0	188	147	27	13	5	9
District 3B								
Carteret	83	2	85	39	10	3	6	1
Craven	103	0	103	50	12	3	8	1
Pamlico	9	0	9	5	1	0	1	0
District Totals	195	2	197	94	23	6	15	2
District 5								
New Hanover	281	4	285	173	44	17	15	12
Pender	56	0	56	40	6	5	0	1
District Totals	337	4	341	213	50	22	15	13
District 6A								
Halifax	45	0	45	33	8	4	2	2
District 8A								
Greene	24	0	24	16	2	0	0	2
Lenoir	86	2	88	60	15	5	6	4
District Totals	110	2	112	76	17	5	6	6
District 8B								
Wayne	115	0	115	69	17	3	2	12
District 10₃								
Wake	444	0	444	325	75	2	2	20
District 12								
Cumberland	615	0	615	365	72	44	22	6
District 13								
Bladen	38	0	38	28	10	5	3	2
Brunswick	115	0	115	82	19	5	7	7
Columbus	70	0	70	71	23	13	7	3
District Totals	223	0	223	181	52	23	17	12
District 14								
Durham	261	0	261	203	46	12	18	16
District 15A								
Alamance	109	0	109	96	9	1	2	6
District 15B								
Chatham	33	0	33	30	1	1	0	0
Orange	75	0	75	68	16	11	4	1
District Totals	108	0	108	98	17	12	4	1

* Note: This is the second printing of the arbitration data for the FY 00-01 Statistical and Operational Summary of the Judicial Branch of Government. Errors were found in the original printing of the arbitration data. This printing contains corrected data as of June 2002.

Arbitration Activity, July 1, 2000 – June 30, 2001

(Continued)

	Cases Noticed for Arbitration ¹			Summary of De Novo Appeal Activity				
	District Court	Superior Court	Total	Cases Arbitrated	Appeals Filed	Trials	Dismissal/Other	Pending 6/30/01 ²
District 16A								
Hoke	28	0	28	22	8	5	1	2
Scotland	23	0	23	24	6	4	1	1
District Totals	51	0	51	46	14	9	2	3
District 16B								
Robeson	62	0	62	27	1	0	0	1
District 17A								
Rockingham	72	0	72	54	18	4	4	10
District 18								
Guilford	461	0	461	185	63	4	5	54
District 19B								
Montgomery	9	0	9	3	3	1	2	0
Moore	112	0	112	62	15	7	4	4
Randolph	120	0	120	90	17	7	2	8
District Totals	241	0	241	155	35	15	8	12
District 19C								
Rowan	100	0	100	69	25	5	6	14
District 20A								
Anson	14	0	14	7	4	0	2	2
Richmond	35	0	35	22	2	0	0	2
District Totals	49	0	49	29	6	0	2	4
District 20B								
Stanly	59	0	59	32	6	0	1	5
Union	123	0	123	69	26	4	10	12
District Totals	182	0	182	101	32	4	11	17
District 21								
Forsyth	285	0	285	251	68	10	22	36
District 22								
Alexander	15	0	15	9	0	0	0	0
Davidson	82	0	82	63	9	2	6	1
Davie	40	0	40	17	7	2	3	2
Iredell	119	0	119	80	26	8	9	9
District Totals	256	0	256	169	42	12	18	12
District 23⁴								
Alleghany	8	0	8	0	3	0	0	3
Ashe	16	0	16	13	2	0	0	2
Wilkes	23	0	23	9	5	0	0	5
Yadkin	7	0	7	6	0	0	0	0
District Totals	54	0	54	28	10	0	0	10
District 24								
Avery	21	0	21	14	5	1	2	2
Madison	14	0	14	6	3	1	0	2
Mitchell	15	0	15	6	1	0	0	1
Watauga	50	0	50	21	5	1	2	2
Yancey	10	0	10	7	1	0	1	0
District Totals	110	0	110	54	15	3	5	7

* Note: This is the second printing of the arbitration data for the FY 00-01 Statistical and Operational Summary of the Judicial Branch

of Government. Errors were found in the original printing of the arbitration data. This printing contains corrected data as of June 2002.

Arbitration Activity, July 1, 2000 – June 30, 2001

(Continued)

	Cases Noticed for Arbitration ¹			Cases Arbitrated	Summary of De Novo Appeal Activity			
	District Court	Superior Court	Total		Appeals Filed	Trials	Dismissal/ Other	Pending 6/30/01 ²
District 25A								
Burke	68	0	68	39	8	1	3	4
Caldwell	57	0	57	29	9	2	3	4
District Totals	125	0	125	68	17	3	6	8
District 25B								
Catawba	200	0	200	136	39	5	7	27
District 26								
Mecklenburg	1,001	0	1,001	861	304	83	60	161
District 27A								
Gaston	359	123	482	274	152	22	60	70
District 27B								
Cleveland	66	0	66	46	29	6	14	9
Lincoln	53	0	53	31	13	4	6	3
District Totals	119	0	119	77	42	10	20	12
District 29								
Henderson	101	0	101	74	19	1	5	13
McDowell	29	0	29	28	1	0	0	1
Polk	16	0	16	17	3	0	0	3
Rutherford	62	0	62	55	19	10	0	9
Transylvania	33	0	33	18	4	2	2	0
District Totals	241	0	241	192	46	13	7	26
District 30A								
Cherokee	21	0	21	17	2	0	1	1
Clay	5	0	5	6	0	0	0	0
Graham	8	0	8	3	0	0	0	0
Macon	32	0	32	28	4	3	0	1
Swain	5	0	5	5	0	0	0	0
District Totals	71	0	71	59	6	3	1	2
District 30B								
Haywood	52	0	52	37	7	3	0	4
Jackson	23	0	23	17	0	0	0	0
District Totals	75	0	75	54	7	3	0	4
TOTALS	6,979	131	7,110	4,866	1,377	359	357	610

(28.3% of
cases arbitrated)

* Note: This is the second printing of the arbitration data for the FY 00-01 Statistical and Operational Summary of the Judicial Branch of Government. Errors were found in the original printing of the arbitration data. This printing contains corrected data as of June 2002.

¹ Cases in which parties are notified that a case has been assigned to court-ordered arbitration. Such notification occurs at the conclusion of the pleadings phase, or upon the filing of a small claims appeal, for all arbitration-eligible cases.

² Additional cases may be pending from trial de novo requests filed in the prior year(s). In most instances, these are cases with requests for jury trials. Many of the smaller counties have district court jury sessions only once or twice a year, so such cases may be pending for well over a year, awaiting a jury calendar setting. This chart only accounts for the year-end status of trial de novo requests filed during FY00-01.

³ Incomplete statistics reported due to staffing changes in District 10. As a result, 51 of the 75 appeals filed could not be categorized.

CHILD CUSTODY AND VISITATION MEDIATION ACTIVITY
July 1, 2000 – June 30, 2001

	Cases Pending 7/1/00	Cases Referred	Parenting Agreement Drafted	Parenting Agreement Signed	Cases Mediated	Cases Not Mediated	Total Processed Through Mediation Office	Cases Pending 6/30/01
District 3A								
Pitt	12	72	46	19	35	29	64	20
District 4								
Duplin, Jones, Onslow, Sampson	25	302	239	136	282	21	303	24
District 5								
New Hanover, Pender	39	542	186	73	258	247	505	76
District 6A								
Halifax	28	69	30	25	51	35	86	11
54 District 6B								
Bertie, Hertford, Northampton	19	83	32	22	58	21	79	23
District 8								
Greene, Lenoir, Wayne	29	156	92	33	136	21	157	28
District 9								
Franklin, Granville, Vance, Warren	0	71	37	19	55	4	59	12
District 9A								
Caswell, Person	1	53	14	9	35	12	47	7
District 10								
Wake	36	676	293	189	425	204	629	83
District 11								
Harnett, Johnston, Lee	24	527	140	138	270	259	529	22
District 12								
Cumberland	52	906	189	209	334	514	848	110

CHILD CUSTODY AND VISITATION MEDIATION ACTIVITY, July 1, 2000 – June 30, 2001 (continued)

	Cases Pending 7/1/00	Cases Referred	Parenting Agreement Drafted	Parenting Agreement Signed	Cases Mediated	Cases Not Mediated	Total Processed Through Mediation Office	Cases Pending 6/30/01
District 13								
Bladen, Brunswick, Columbus	4	147	85	43	107	41	148	3
District 14								
Durham	18	331	93	75	198	122	320	29
District 15A								
Alamance	30	179	124	69	132	54	186	23
District 15B								
Chatham, Orange	15	167	120	79	151	25	176	6
55 District 16A								
Hoke, Scotland	2	45	26	20	43	4	47	0
District 17A								
Rockingham	12	100	41	34	78	24	102	10
District 17B								
Stokes, Surry	22	154	63	37	120	41	161	15
District 19A								
Cabarrus	21	153	107	77	141	5	146	28
District 19B								
Montgomery, Moore, Randolph	24	151	86	58	133	27	160	15
District 19C								
Rowan	38	252	170	107	218	37	255	35
District 20								
Anson, Richmond, Stanly, Union	36	288	130	75	218	66	284	40
District 21								
Forsyth	43	374	118	60	239	137	376	41

CHILD CUSTODY AND VISITATION MEDIATION ACTIVITY, July 1, 2000 – June 30, 2001 (continued)

	Cases Pending 7/1/00	Cases Referred	Parenting Agreement Drafted	Parenting Agreement Signed	Cases Mediated	Cases Not Mediated	Total Processed Through Mediation Office	Cases Pending 6/30/01
District 25								
Burke, Caldwell, Catawba	365	711	284	234	454	454	908	168
District 26								
Mecklenburg	383	1,089	245	160	480	650	1,130	342
District 27A								
Gaston	49	235	60	65	188	39	227	57
District 27B								
Cleveland, Lincoln	29	125	58	40	117	21	138	16
District 28								
Buncombe	73	302	157	78	221	69	290	85
TOTALS	1,429	8,260	3,265	2,183	5,177	3,183	8,360	1,329

**SENTENCING SERVICES PROGRAM
(as of June 30, 2001)**

District Court	Counties	Name of Program						
District	Served	Serving District	Program Activity	1996-97	1997-98	1998-99	1999-00	2000-01
1	Camden Chowan Currituck Dare Gates Pasquotank Perquimans	First District Sentencing Services	Plans Opened	105	69	44	75	61
			Plans Prepared	51	75	33	56	51
			Plans Presented in Court	46	51	33	53	51
2	Beaufort Hyde Martin Tyrrell Washington	2nd District Sentencing Services	Plans Opened		11 *	23	41	76
			Plans Prepared		5	12	15	36
			Plans Presented in Court		3	9	15	35
3A	Pitt	Sentencing Services Program of Pitt County	Plans Opened	93	153	80	71	122
			Plans Prepared	51	79	76	42	48
			Plans Presented in Court	43	58	55	37	41
3B	Carteret Craven Pamlico	Neuse River Sentencing Services	Plans Opened	70	94	68	85	112
			Plans Prepared	49	70	49	52	43
			Plans Presented in Court	43	57	40	42	43
4A & 4B	Duplin Jones Onslow Sampson	Pretrial Resource Center, Inc.	Plans Opened	137	117	119	123	150
			Plans Prepared	88	134	93	72	64
			Plans Presented in Court	84	70	62	72	54
5	New Hanover Pender	5th District Sentencing Services	Plans Opened	111	87 **	65	151	152
			Plans Prepared	61	39	46	98	104
			Plans Presented in Court	52	35	42	91	102

**SENTENCING SERVICES PROGRAMS, as of 6/30/01
(continued)**

District Court District	Counties Served	Serving District	Name of Program Program Activity	1996-97	1997-98	1998-99	1999-00	2000-01
6A & 6B	Halifax Bertie Hertford Northampton	District 6A&B Sentencing Services	Plans Opened	*	42	54	64	61
			Plans Prepared		18	42	46	46
			Plans Presented in Court		18	37	42	46
7A & 7B	Edgecombe Nash Wilson	Sentencing Services Program for the 7th Judicial District	Plans Opened	120	95	64	49	77
			Plans Prepared	77	63	46	48	55
			Plans Presented in Court	70	58	42	45	54
8A & 8B	Greene Lenoir Wayne	Sentencing Services Program for the 8th Judicial District	Plans Opened	22 *	150	89	69	85
			Plans Prepared	3	58	39	30	43
			Plans Presented in Court	3	51	37	27	43
9	Franklin Granville Vance Warren	Ninth District Sentencing Services	Plans Opened	52	61 **	102	84	54
			Plans Prepared	33	30	66	46	54
			Plans Presented in Court	31	29	64	46	54
9A	Caswell Person	District 9A Sentencing Services	Plans Opened	28	11	48 **	60	88
			Plans Prepared	4	5	11	43	62
			Plans Presented in Court	4	5	11	42	62
10	Wake	ReEntry, Inc.	Plans Opened	230	155	118	136	72
			Plans Prepared	75	87	58	68	52
			Plans Presented in Court	73	82	52	65	47
11A & 11B	Harnett Johnston Lee	Eleventh Judicial District ReEntry, Inc.	Plans Opened	221	289	241	84	114
			Plans Prepared	78	74	93	79	124
			Plans Presented in Court	78	67	86	78	124
12	Cumberland	Fayetteville Area Sentencing Center, Inc.	Plans Opened	181	124	135	83	127
			Plans Prepared	103	103	87	65	96
			Plans Presented in Court	95	99	84	58	90

**SENTENCING SERVICES PROGRAMS,
as of 6/30/01 (continued)**

District Court	Counties	Name of Program	Program Activity	1996-97	1997-98	1998-99	1999-00	2000-01
District	Served	Serving District						
13	Bladen Brunswick Columbus	Cape Fear Sentencing Services	Plans Opened	63	53	33	22	49 **
			Plans Prepared	37	31	36	21	41
			Plans Presented in Court	33	30	30	21	41
14	Durham	Durham Sentencing Services	Plans Opened	204	185 **	312	88	288
			Plans Prepared	115	82	88	45	109
			Plans Presented in Court	101	70	83	42	106
15A	Alamance	District 15A Sentencing Services	Plans Opened	46 *	100	92	98	122
			Plans Prepared	18	72	50	61	88
			Plans Presented in Court	18	55	44	54	80
15B	Chatham Orange	Orange/Chatham Alternative Sentencing, Inc.	Plans Opened	73	86	54	63	62
			Plans Prepared	55	64	56	60	50
			Plans Presented in Court	51	57	50	56	47
16A	Hoke Scotland	District 16A Sentencing Services	Plans Opened	95	80 **	89	37	56
			Plans Prepared	34	27	67	20	31
			Plans Presented in Court	33	18	45	18	29
16B	Robeson	Robeson Sentencing Services Program	Plans Opened	28 **	39	41	48	38
			Plans Prepared	22	19	30	31	42
			Plans Presented in Court	21	15	25	20	28
17A	Rockingham	ReDirections, Sentencing Services	Plans Opened	75	73	45	41	68
			Plans Prepared	62	55	36	39	43
			Plans Presented in Court	62	54	34	34	43
17B	Stokes Surry	ReDirections, Sentencing Services	Plans Opened		*	19	27	35
			Plans Prepared			11	10	27
			Plans Presented in Court			7	9	27

**SENTENCING SERVICES PROGRAMS,
as of 6/30/01 (continued)**

District Court	Counties	Name of Program		1996-97	1997-98	1998-99	1999-00	2000-01
District	Served	Serving District	Program Activity					
18	Guilford	One Step Further, Sentencing Alternatives Center	Plans Opened	288	203	172	172	197
			Plans Prepared	171	157	93	93	87
			Plans Presented in Court	158	144	86	77	77
19A	Cabarrus	Cabarrus Sentencing Services	Plans Opened	51	62	57 **	48	66
			Plans Prepared	33	44	39	28	40
			Plans Presented in Court	31	37	33	23	40
19B	Montgomery Moore Randolph	One Step Further, Community Sentencing Alternatives	Plans Opened	81	146	102	74	33
			Plans Prepared	34	76	61	32	15
			Plans Presented in Court	30	70	56	30	14
19C	Rowan	Rowan Sentencing Services	Plans Opened		*	47	55	73
			Plans Prepared			32	43	53
			Plans Presented in Court			31	39	53
20A & 20B	Anson Richmond Stanly Union	20th District Sentencing Services	Plans Opened	69	117	90 **	77	31
			Plans Prepared	65	63	59	55	22
			Plans Presented in Court	29	47	52	52	19
21	Forsyth	One Step Further, Forsyth Sentencing Services	Plans Opened	187	159	117	202	80
			Plans Prepared	112	103	81	103	56
			Plans Presented in Court	108	100	64	82	47
22	Alexander Davidson Davie Iredell	Appropriate Punishment Options	Plans Opened	80	134	98	62	61
			Plans Prepared	49	86	59	25	40
			Plans Presented in Court	44	46	44	25	36
23	Alleghany Ashe Wilkes Yadkin	Repay, Sentencing Services	Plans Opened		*	22	25	40
			Plans Prepared			13	19	34
			Plans Presented in Court			12	16	34

**SENTENCING SERVICES PROGRAMS,
as of 6/30/01 (continued)**

District Court	Counties	Name of Program						
District	Served	Serving District	Program Activity	1996-97	1997-98	1998-99	1999-00	2000-01
24	Avery	Repay, Sentencing Services	Plans Opened	47	41	56	38	29
	Madison		Plans Prepared	31	19	28	21	24
	Mitchell		Plans Presented in Court	31	16	25	16	21
	Watauga Yancey							
25A & 25B	Burke	Repay, Sentencing Services	Plans Opened	150	177	135	107	124
	Caldwell		Plans Prepared	83	114	83	65	99
	Catawba		Plans Presented in Court	80	97	71	59	88
26	Mecklenburg	Mecklenburg Sentencing Services	Plans Opened	223	230	265 **	129	207 **
			Plans Prepared	115	98	147	98	142
27A & 27B	Gaston	District 27 Sentencing Services	Plans Opened	119	98	121	72	106
	Cleveland		Plans Prepared	128	90	90	65	99
	Lincoln		Plans Presented in Court	95	63	83	58	97
28	Buncombe	Buncombe Alternatives	Plans Opened	88	51	78	51	78
			Plans Prepared	90	51	77	47	67
			Plans Presented in Court	90	50	76	45	67
29	Henderson	29th District Sentencing Services	Plans Opened	73	54	76	75	57
	McDowell		Plans Prepared	46	43	45	59	45
	Polk Rutherford Transylvania		Plans Presented in Court	42	39	41	52	40
30A & 30B	Cherokee	30th District Sentencing Services	Plans Opened	68	48	44	42	38
	Clay		Plans Prepared	60	47	39	29	37
	Graham		Plans Presented in Court	55	40	37	29	33
	Haywood Jackson Macon Swain							

**SENTENCING SERVICES PROGRAMS,
as of 6/30/01 (continued)**

District Court	Counties	Name of Program						
District	Served	Serving District	Program Activity	1996-97	1997-98	1998-99	1999-00	2000-01
STATE TOTALS			Plans Opened	3,478	3,594	3,415	2,828	3,289
			Plans Prepared	2,033	2,181	2,071	1,829	2,169
			Plans Presented in Court	1,841	1,823	1,825	1,664	2,049

*Startup funding was awarded during this fiscal year for the program in this district. Services began or were enhanced the following fiscal year.

**There was a change in service provider for this district during this fiscal year.